Supreme Court, U.S.
FILED
APR 29 1994
OFFICE OF THE CLERK

No. 93-892

In The

Supreme Court of the United States

October Term, 1993

NTA GRAPHICS, INC.,

Petitioner,

vs.

NATIONAL LABOR RELATIONS BOARD,

Respondent.

On Writ Of Certiorari To The United States Court Of Appeals For The Sixth Circuit

JOINT APPENDIX
VOLUME I

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Petition For Certiorari Filed December 6, 1993
Certiorari Granted February 28, 1994

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General Docket
Sixth Circuit Court of Appeals

92-6085 **92-6085**

Court of Appeals Docket #: 92-6085 Filed: 8/25/92
Nsuit: 0
NLRB v. NTA Graphics Inc

Appeal from: National Labor Relations Board

Case type information:
1) NLRB
2) enforcement
3)

Lower court information:

District: 0647-7 : 8-CA-24277
Date Filed: **/**/**
Date order/judgment: 7/24/92
Date NOA filed: **/**/**

Fee status: waived

Prior cases:
None
Current cases:

Lead	Member	Start	End
Related:			
92- 5083	92- 6085	4/2/93	8/24/93

NATIONAL LABOR RELATIONS BOARD Petitioner	Frederick Calatrello, Director 216-522-3715 Room 1695 [NTC gvt] National Labor Relations Board Region 8 1240 E. Ninth Street Suite 1695 Anthony J. Celebrezze Federal Building Cleveland, OH 44199
	Aileen A. Armstrong, Dep.Asso.Gen.Counsel 202-273-2960 [COR NTC gvt] Charles P. Donnelly, Jr. 202-273-2986 [NTC gvt] William M. Bernstein 202-273-2986 [COR NTC gvt] National Labor Relations Board Appellate Court Branch 1099 14th Street, N.W. Washington, DC 20570
v.	
NTA GRAPHICS, INC. Respondent	Timothy C. McCarthy 419-241-9000 [NTC ret] Shumaker, Loop & Kendrick 1000 Jackson Street North Courthouse Square Toledo, OH 43624-1573

NATIONAL LABOR RELATIONS BOARD

Petitioner

v.

NTA GRAPHICS, INC.

Respondent

8/25/92	NLRB Case Docketed. Application for Enforcement of an Order of the NLRB filed by Petitioner NLRB. (certificate of service 8/24/92) • (mcp)
8/31/92	APPEARANCE filed by Attorney Aileen A. Armstrong for Petitioner NLRB [92-6085] (ds)
9/2/92	APPEARANCE filed by Attorney William M. Bernstein for Petitioner NLRB [92-6085] (ds)
9/2/92	CERTIFIED LIST filed. [92-6085] (pje)
9/2/92	ADMINISTRATIVE RECORD filed. Volumes included: 3 Pl (w/ex). [92-6085] (pje)
9/2/92	Petitioner MOTION filed to consolidate for submission the following cases: 92-5083/6085. Motion filed by Aileen A. Armstrong for Petitioner NLRB. Certificate of service date 9/1/92. [92-6085] (yh)
9/8/92	PRE-ARGUMENT STATEMENT filed by William M. Bernstein for Petitioner NLRB [92-6085] (ds)
9/14/92	APPEARANCE filed by Attorney Timothy C. McCarthy for Respondent NTA Graphics Inc [92-6085] (ac)

9/14/92	Response to application for enforcement filed by Timothy C. McCarthy for Respondent NTA Graphics Inc. Certificate of Service date 9/11/92. [92-6085] (ac)
10/7/92	MOTION filed for leave to file motion to intervene out of time. [658235-1] Motion filed by Steven M. Wolock for Graphic Comm. Certificate of service date 10/6/92. [92-6085] (ac)
10/7/92	MOTION filed to allow Graphic Communications to intervene on behalf of NLRB. Motion filed by Steven M. Wolock for Graphic Comm. Certificate of service date 10/6/92. [92-6085] (ac)
10/23/92	RULING denying motion to consolidate for submission [643721-1] filed by Aileen A. Armstrong [92-6085]. (yh)
11/24/92	BRIEFING LETTER SENT setting cross appeal briefing schedule: first brief due 1/6/93; second brief due 2/8/93; reply brief due 2/25/93; appendix due 3/4/93 [92-6085]. Rule 9 Notice Sent: y. (yh)
1/6/93	BRIEF filed by Timothy C. McCarthy for Respondent NTA Graphics Inc Copies: 10. Certificate of Service date 1/5/93 [92-6085] • (teb)
1/6/93	Request relating to oral argument not filed by Timothy C. McCarthy for Respondent NTA Graphics Inc [92-6085] (teb)
1/26/93	Petitioner MOTION filed to extend time to 2/22 to file brief. Motion filed by Aileen A. Armstrong for Petitioner NLRB. Certificate of service date 1/24/93. [92-6085] (ac)

1/26/93	RULING granting motion to extend briefing [712846-1] filed by Aileen A. Armstrong [92-6085] (ac)
1/26/93	BRIEFING LETTER SENT resetting cross appeal briefing schedule: second brief due 2/22/93; fourth brief due 3/8/93; appendix due 3/15/93 [92-6085] Rule 9 Notice Sent: n. (ac)
2/24/93	BRIEF filed by William M. Bernstein for Petitioner NLRB Copies: 10. Certificate of Service date 2/22/93 [92-6085] • (teb)
2/24/93	Request relating to oral argument not filed by William M. Bernstein for Petitioner NLRB [92-6085] (teb)
3/8/93	Respondent MOTION filed to extend time to 3/17 to file brief. Motion filed by Timothy C. McCarthy for Respondent NTA Graphics Inc. Certificate of service date 3/5/93. (ac)
3/9/93	RULING granting motion to extend briefing [733069-1] filed by Timothy C. McCarthy [92-6085] (ac)
3/9/93	BRIEFING LETTER SENT resetting cross appeal briefing schedule: fourth brief due 3/17/93; Rule 9 Notice Sent: n. (ac)
3/15/93	Respondent MOTION filed to extend time to 3/25 to file appendix. Motion filed by Timothy C. McCarthy for Respondent NTA Graphics Inc. Certificate of service date 3/12/93. [92-6085] (ac)
3/16/93	RULING granting motion to extend time to file appendix [736838-1] filed by Timothy C. McCarthy [92-6085] (ac)

3/16/93 BRIEFING LETTER SENT resetting cross appeal briefing schedule: appendix due 3/25/93 [92-6085] Rule 9 Notice Sent: n. (ac)

3/19/93 BRIEF filed by Timothy C. McCarthy for Respondent NTA Graphics Inc. Copies: 10. Certificate of service date 3/17/93 [92-6085] (teb)

3/25/93 APPENDIX filed by Timothy C. McCarthy for Respondent. Copies: 5 [2 vols] (prepared by Becker/Gallagher). Certificate of service date 3/25/93 [92-6085] (pje)

4/2/93 ADMINISTRATIVE SUPPLEMENTAL RECORD filed. Volumes included: 1 Pl; 1 Tr; 1 Ex. (This record was applied to 92-5083 on 9/2/92. The board's certified list indicated that part of the record would be found in 92-5083) [92-6085] (mcp)

6/17/93 CAUSE SUBMITTED on briefs under Sixth Circuit Rule 9(a) before Judges Merritt, Guy, Batchelder. [92-6085] (cb)

6/21/93 ORDER filed: Application for enforcement of the order issued by the National Labor Relations Board is GRANTED, pursuant to local rule 9(b)3, decision not for publication pursuant to local rule 24 [92-6085]. Gilbert S. Merritt, Chief Judge, Ralph B. Guy, Circuit Judge, Alice M. Batchelder, Circuit Judge. (cb)

6/28/93 BILL OF COST filed by Aileen A. Armstrong for Petitioner NLRB. Amount: $126.00. Certificate of service date 6/25/93. [92-6085] (cb)

7/12/93	Respondent MOTION filed to file en banc rehearing petition instanter. Motion filed by Timothy C. McCarthy for Respondent NTA Graphics Inc. Certificate of service date 7/11/93. [92-6085] (pe)
7/12/93	Respondent MOTION filed to stay mandate. Motion filed by Timothy C. McCarthy for Respondent NTA Graphics Inc. Certificate of service date 7/11/93. [92-6085] (pe)
7/12/93	TENDERED: rehearing en banc petition from Timothy C. McCarthy for Respondent NTA Graphics Inc [92-6085] (pe)
7/21/93	ORDER filed granting motion to file rehearing en banc petition instanter and granting motion to stay mandate filed by Timothy C. McCarthy [92-6085]. (pe)
7/21/93	PETITION for en banc rehearing filed by Timothy C. McCarthy for Respondent NTA Graphics Inc. Certificate of service date 7/11/93. [92-6085] (pe)
7/21/93	RESPONSE in opposition filed regarding a motion to stay mandate [797910-1] Response from Aileen A. Armstrong for Petitioner NLRB. Certificate of service date 7/20/93. Received after ruling on motion. [92-6085] (ac)
8/23/93	ORDER filed denying petition for en banc rehearing filed by Timothy C. McCarthy [92-6085]. Gilbert S. Merritt, Chief Judge, Ralph B. Guy, Alice M. Batchelder, Circuit Judges. (pe)
9/1/93	MANDATE ISSUED with costs to be recovered by Petitioner NLRB. Amount: $126.00. [92-6085] (ds)

9/13/93	ORDER filed to recall mandate. (inadvertently issued) [92-6085]. (cb)
9/13/93	LETTER SENT TO NLRB by cb sending a certified copy of order filed 9/13/93. [92-6085] (cb)
9/20/93	CERTIFIED RECORD RETURNED to lower court at the end of appellate proceedings. [92-5083, 92-6085]. Volumes include: 4 Pl; (3 w/exhibits); 1 Tr; 1 Ex;. (tt)
11/18/93	U.S. Supreme Court letter filed granting an extension of time until 12/6/93 to file a petition for writ of certiorari. [92-6085] (yh)
12/10/93	U.S. Supreme Court notice filed regarding petition for writ of certiorari filed by Respondent NTA Graphics Inc. Filed in the Supreme Court on 12/06/93. Supreme Ct. case number: 93-892. [92-6085] (swh)
3/2/94	U.S. Supreme Court order filed granting petition for writ of certiorari [872025-1] filed by NTA Graphics Inc [92-6085]. Filed in the Supreme Court on 02/28/94. (swh)

Form NLRB-502
(11-64)

Form Exempt Under
44 U.S.C. 3512

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

PETITION

DO NOT WRITE IN THIS SPACE

CASE NO.
8-RC-13648

DATE FILED
6-12-87

INSTRUCTIONS – Submit an original and four (4) copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located.

If more space is required for any one item, attach additional sheets,numbering item accordingly.

The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

---

1. Purpose of this Petition *(If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.)*

(Check one)

[X] RC-CERTIFICATION OF REPRESENTATIVE – A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.

[ ] RM-REPRESENTATION (EMPLOYER PETITION) – One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.

[ ] RD-DECERTIFICATION – A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.

[ ] UD-WITHDRAWAL OF UNION SHOP AUTHORITY – Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.

[ ] UC-UNIT CLARIFICATION – A labor organization is currently recognized by employer, but petitioner seeks clarification of placement of certain employees:

(Check one) [ ] In unit not previously certified

[ ] In unit previously certified in Case No. _____.

[ ] AC-AMENDMENT OF CERTIFICATION – Petitioner seeks amendment of certification issued in Case No. _____.

Attach statement describing the specific amendment sought.

2. NAME OF EMPLOYER
NTA Graphics, Inc.

EMPLOYER REPRESENTATIVE TO CONTACT
David Tremonti

PHONE NO
(419) 476-8808

---

3. ADDRESS(ES) OF ESTABLISHMENT(S) INVOLVED *(Street and number, city, State, and ZIP Code)*
5225 Telegraph Road, Toledo, Ohio 43612

4a. TYPE OF ESTABLISHMENT *(Factory, mine, wholesaler, etc.)*
Printing shop

4b. IDENTIFY PRINCIPAL PRODUCT OR SERVICE
Printed materials

---

5. Unit Involved *(In UC petition, describe PRESENT bargaining unit and attach description of proposed clarification.)*

Included ALL PREPARATORY DEPARTMENT AND PRESS DEPARTMENT EMPLOYEES.

Excluded GUARDS, SUPERVISORS, AND ALL OTHER EMPLOYEES INCLUDING TRUCK DRIVERS, CLERICAL EMPLOYEES AND MAINTENANCE EMPLOYEES.

(If you have checked box RC in 1 above, check and complete EITHER item "a or "b. whichever is applicable)

6a. NUMBER OF EMPLOYEES IN UNIT:

PRESENT approx. 45

PROPOSED (BY UC/AC)

6b. IS THIS PETITION SUPPORTED BY 30% OR MORE OF THE EMPLOYEES IN THE UNIT?*

[X] YES [ ] NO

**Not applicable in RM, UC, and AC*

7a. [XX] Request for recognition as Bargaining Representative was made on by letter dated 6/11/87 and Employer
(Month, day, year)

declined recognition on or about no reply *(If no reply received, so state)*
(Month, day, year)

7b. [ ] Petition is currently recognized as Bargaining Representative and desires certification under the act.

---

8. Recognized or Certified Bargaining Agent *(If there is none, so state)*

NAME
None

AFFILIATION
ADDRESS
DATE OF RECOGNITION OR CERTIFICATION

9. DATE OF EXPIRATION OF CURRENT CONTRACT, IF ANY *(Show month, day, and year)*

---

10. IF YOU HAVE CHECKED BOX UD IN 1 ABOVE, SHOW HERE THE DATE OF EXECUTION OF AGREEMENT GRANTING UNION SHOP *(Month, day, and year)*

11a. IS THERE NOW A STRIKE OR PICKETING AT THE EMPLOYER'S ESTABLISHMENT(S) INVOLVED?

YES _____ NO X

11b. IF SO, APPROXIMATELY HOW MANY EMPLOYEES ARE PARTICIPATING?

11c. THE EMPLOYER HAS BEEN PICKETED BY OR ON BEHALF OF _____
(Insert name)

ORGANIZATION, OF _____ SINCE _____
(Insert address) *(Month, day, year)*

---

12. ORGANIZATIONS OR INDIVIDUALS OTHER THAN PETITIONER (AND OTHER THAN THOSE NAMED IN ITEMS 8 AND 11c; WHICH HAVE CLAIMED RECOGNITION AS REPRESENTATIVES AND OTHER ORGANIZATIONS AND INDIVIDUALS KNOWN TO HAVE A REPRESENTATIVE INTEREST IN ANY EMPLOYEES IN THE UNIT DESCRIBED IN ITEM 5 ABOVE. (IF NONE, SO STATE.)

NAME AFFILIATION

ADDRESS DATE OF CLAIM *(Required only if Petition is filed by Employer)*

I declare that I have read the above petition and that the statements therein are true to the best of my knowledge and belief.

Graphic Communications International Union, Detroit-Toledo Local 289 1111 Woodward Avenue, Suite 100, Royal Oak, MI 48067

(Petitioner and affiliation, if any)

By /s/ Samuel C. McKnight Attorney
(Signature of representative or person filing petition) *(Title, if any)*
Samuel C. McKnight

Address 26211 Central Park Blvd., Suite 614 Soutfield, MI 48076 (313) 354-9650
(Street and number, city, State, and ZIP Code) *(Telephone number)*

WILLFULLY FALSE STATEMENT ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

COPY

OFFICIAL REPORT OF PROCEEDINGS
before the
NATIONAL LABOR RELATIONS BOARD

In the Matter of:

NTA GRAPHICS INCORPORATED

Case No: 8-RC-13648

Pages: 1 through 189

Place: Toledo, Ohio **Volume:** I

Date: July 9, 1987

LORD REPORTING SERVICE, INC.
OFFICIAL REPORTERS
5300 East Main Street
Suite 101
Columbus, Ohio 43213
(614) 861-3697

[p. 1] BEFORE THE

NATIONAL LABOR RELATIONS BOARD

REGION 8

In the Matter of:

NTA GRAPHICS, INCORPORATED,	)	
Employer,	)	CASE NO. 8-RC-13648
-and-	)	
GRAPHIC COMMUNICATIONS INTERNATIONAL UNION, DETROIT, TOLEDO/LANSING LOCAL 289,	)	
Petitioner.	)	

Conference Room 318
Federal Office Building
234 Summit Street
Toledo, Ohio

Thursday,

July 9, 1987

The above-entitled matter came on for hearing, pursuant to Notice, at 10:00 a.m.

BEFORE:

RICHARD F. BOGUSKI
Hearing Officer

[p. 2] APPEARANCES:

On behalf of the Employer:

TIMOTHY C. McCARTHY, ESQ.
Shumaker, Loop & Kendrick
North Courthouse Square
1000 Jackson
Toledo, Ohio 43624-1573

On behalf of the Petitioner:

ROGER J. McCLOW, ESQ.
Klimist, McKnight, Sale & McClow, P.C.
Suite 614
26211 Central Park Blvd.
Southfield, Michigan 48076-4139

[p. 3] INDEX

WITNESSES:	DIRECT	CROSS	REDIRECT	RECROSS
David Tremonti	15	56	153	159
			172	168
Joseph Freeze	174	177	178	179
			181	-

EXHIBITS

EXHIBIT NO.	FOR IDENTIFICATION	IN EVIDENCE
Board's Exhibits:		
No. 1(a) through 1(d)	5	6
No. 2	6	7
No. 3	9	9
Petitioner's Exhibits:		
No. 1	79	89
Employer's Exhibits:		
No. 1	20	90
No. 2	51	90
Joint Exhibit:		
No. 1	30	91

[p. 4] PROCEEDINGS

10:58 a.m.

HEARING OFFICER: The hearing will be in order. This is a formal hearing in the matter of NTA Graphics, Incorporated - Incorporated spelled out - , Case No. 8-RC-13648

The Hearing Officer appearing for the National Labor Relations Board is Richard F. Boguski, that's B-o-g-u-s-k-i.

All parties have been informed of the procedures at formal hearing before the Board by service of a Statement of Standard Procedures with a Notice of Hearing. I have additional copies of this statement for distribution if any party wishes more.

Will counsel please state their appearances for the record? For the Petitioner?

MR. McCLOW: For the record, my name is Roger McClow of the firm of Klimist, McKnight, Sale & McClow, appearing here in behalf of Local 289.

HEARING OFFICER: For the Employer?

MR. McCARTHY: Timothy C. McCarthy of the law firm of Shumaker, Loop & Kendrick, appearing here today on behalf of the Employer in this case, NTA Graphics, Incorporated.

HEARING OFFICER: For the record, there is [p. 5] no intervenor involved in this matter. Moreover, there are no other appearances submitted in this particular proceeding.

Okay. are there any other persons, parties or labor organizations in the hearing room at this time who claim an interest in this proceeding?

Let the record show no response.

I now propose to receive the formal papers.

(The documents above-referred to were marked board Exhibits Nos. 1(a) through 1(d) for identification.)

HEARING OFFICER: They have been marked for identification as Board Exhibits 1(a) through 1(d), 1(d) being an index and description of the entire exhibit. This exhibit has already been shown to all parties.

Are there any objections?

MR. McCARTHY: None.

MR. McCLOW: None.

HEARING OFFICER: Hearing no objections, the formal papers are received into evidence.

[p. 6] (The documents above-referred to, heretofore marked Board Exhibits Nos. 1(a) through 1(d) for identification, were received in evidence.)

HEARING OFFICER: At this time I would also propose entering into evidence as Board Exhibit No. 2 a document which is entitled "Stipulation." It was prepared prior to the start of this hearing, setting forth various stipulations agreed to by the parties. Both parties have signed in title the exhibit in the appropriate space and initialed the exhibit where requested.

(The document above-referred to was marked Board Exhibit No. 2 for identification.)

HEARING OFFICER: Is there any objection to admitting the stipulation document into evidence as Board Exhibit No. 2?

MR. McCLOW: No.

MR. McCARTHY: No.

HEARING OFFICER: Hearing no objection, the stipulation document is received into evidence as Board Exhibit No. 2.

[p. 7] (The document above-referred to, heretofore marked Board Exhibit No. 2 for identification, was received in evidence.)

HEARING OFFICER: Okay. Before I get into the issues of the matter, I just want to make known for the record that there is a pending unfair labor practice filed in Case No. 8-CA-20167 based upon the Charge Against Employer Form which I have in front of me. The charge was filed on or about June 12, 1987. The charge alleges that approximately 16 – excuse me.

The charge alleges approximately 17 employees had been terminated in violation of Section 8(A) 1 and 3 of the Act. That matter is presently – or that charge is presently pending investigation. It's my understanding as of this date the director has not made any official determination on that matter.

It's also my understanding that with respect to that charge the Union has requested Section 10(J) injunctive relief.

Now, in the discussions we had prior to the opening of this record, it is the understanding of the parties that should the Regional Director determine that the 8(A)3 allegations raised in that charge are meritorious, the employees involved would be permitted [p. 8] to vote subject to challenge.

It's also the understanding of the parties, at least to my knowledge it is, that should the Director determine

that the charge lacks merit the affected employees may also vote subject to challenge pending any recourse to the Board's appeal procedure.

Is that a correct understanding on the part of the parties? Mr. McClow?

MR. McCLOW: Yes, it is.

HEARING OFFICER: Mr. McCarthy?

MR. McCARTHY: It's my understanding that if at the time the election is held the appeals are still pending.

HEARING OFFICER: Right.

MR. McCARTHY: Yes, there is a possible contingency if the Regional Director refused to issue the General Counsel might decide before an election is held. In that point we would be saying they could vote subject to –

HEARING OFFICER: Yes. With that understanding. I think it's the understanding of everybody.

But then again, like I say, the reason why I'm bringing this up at this time, I do not want to litigate in an R case proceeding an unfair labor [p. 9] practice matter and – however, I do wish to let the reader of this record know that there is a pending unfair labor practice charge.

I do have a copy of the charge. Just for the completeness of the record purposes, I'd like to admit it into evidence as Board Exhibit No. 3.

(The document above-referred to was marked Board Exhibit No. 3 for identification.)

HEARING OFFICER: Would anybody have any objection to that?

Okay. Hearing no objection, the Charge Against Employer Form for Case No. 8-CA-20167 is submitted into evidence as Board Exhibit No. 3.

(The document above-referred to, heretofore marked Board Exhibit No. 3 for identification was received in evidence.)

HEARING OFFICER: Very well, What I'd like to do now is discuss what is at issue at this hearing.

Now, it is my understanding at this particular point in the hearing that the Union is seeking to represent employees and employed in a collective bargaining unit as follows:

The unit that they are seeking to represent [p. 10] is all preparatory and press department employees employed by the Employer at its 5225 Telegraph Road, Toledo, Ohio, Facility, excluding all office clerical employees, maintenance department employees, composition department employees, and all shipping and receiving department employees, including truck drivers and all professional employees, guards and supervisors as defined in the Act.

Mr. McClow, is that a correct description of the unit that the Union is seeking at this time?

MR. McCLOW: Yes, it is.

HEARING OFFICER: Okay. For the record, let the record show that any minor variance or discrepancy between the way the petition – this unit description reads

in the petition as opposed to what I have just read should be amended to reflect what I have just read.

Now, by the same token, it's my understanding that the Union – I'm sorry, that the Employer contends that the unit description as I just read and is being sought by the petitioning Union is inappropriate, in that they think the appropriate unit that should be directed in this matter should read as follows:

All preparatory, press, maintenance, [p. 11] composition, and shipping and receiving department employees employed by the Employer at its 5225 Telegraph Road, Toledo, Ohio facility, excluding all office clerical employees and all professional employees, guards and supervisors, as defined in the Act.

Is that a correct description of the unit you think is appropriate, Mr. McCarthy?

MR. McCARTHY: Yes, With the additional understanding, I think that both parties share, that a gentleman in the department noted as the pallets department, that that department is actually a subdepartment or division, if you will, of the maintenance department. I don't think there's any dispute –

HEARING OFFICER: Okay. So everybody knows that the fellow who does the pallet work is part of the maintenance department and is included in the maintenance group of employees involved here, correct?

MR. McCARTHY: Correct.

MR. McCLOW: Included, yes, included in the unit that the Employer wants and excluded from the unit that the Union wants.

HEARING OFFICER: Correct. Yes. The employer feels maintenance should be included, and the [p. 12] Union feels they don't want to represent, meaning they didn't petition for maintenance and it's appropriate the unit they petitioned for.

So in effect what we have here is a scope of bargaining unit type hearing where that's the issue which the Director must decide.

Before we proceed with the witnesses, I just want to make note for the record one more additional matter, and I'm making note of this per the request of Employer counsel.

This morning, immediately before the start of this hearing, I was served with a petition to revoke subpoenas. Prior to the start of this hearing the Petitioner apparently tendered subpoena ad testificandum to Mr. Norman Tremonti, who is the president of the Employer, and also to Mr. David Tremonti, who is the vice president of the Employer.

In addition, the Petitioner also tendered to the Employer a subpoena duces tecum for a series of documents related to this matter. I am fully mindful of the fact that petitions to revoke subpoenas are issues which are normally decided on the record. However, per the Employer's request, I will state that I am considering the petition to revoke subpoenas. At this time I have made no ruling. Later on in this [p. 13] hearing if need be I will make a determination on whether or not to honor the petition to revoke or to deny that petition.

Very well. Off the record briefly.

(Discussion off the record.)

HEARING OFFICER: Based on our off-the-record discussions, it's my understanding that the Employer has agreed to present the first witness in this matter. I'd like to now call to the stand Mr. David Tremonti.

MR. McCARTHY: If the Hearing Officer please, there is one more preliminary matter I wanted to raise for your consideration.

HEARING OFFICER: Yes.

MR. McCARTHY: I don't know if any of the other persons located in the room intend to be witnesses or are expected to be called. If there are any that are expected to be called, though, I think it would be appropriate, and we would so move, that there be a separation of witnesses prior to the rendering of any testimony in the case.

HEARING OFFICER: Mr. McClow?

MR. McCLOW: In fact, certain of the people in the room may testify and it hasn't been decided who [p. 14] will testify yet.

HEARING OFFICER: Would you have any objection to sequestering the –

MR. McCLOW: No, but I'd like to have one person who has been in the plant to stay in the room for my information.

HEARING OFFICER: Okay. Why don't we go off the record and we can decide at that time where the people can sit and wait because, like I say, I don't know

where exactly or if there's any waiting rooms around here.

MR. McCLOW: We can talk about that off the record.

HEARING OFFICER: Let's go off the record.

(Discussion off the record.)

HEARING OFFICER: Back on the record. Whereupon,

DAVID TREMONTI

was called as a witness herein and, having been first duly sworn, was examined and testified as follows:

HEARING OFFICER: Would you state your name for the record, please?

THE WITNESS: David Tremonti.

HEARING OFFICER: Spell Tremonti?

THE WITNESS: T-r-e-m-o-n-t-i.

[p. 15] HEARING OFFICER: Can you state your position with the Employer?

THE WITNESS: Vice President and Operations Manager.

HEARING OFFICER: Okay. Mr. McCarthy, you may proceed.

DIRECT EXAMINATION

BY MR. McCARTHY:

Q. Dave, I'd like to have you begin by giving just a brief description of the nature of the business that the Employer engages in.

A. Commercial printing, doing newspaper inserts, high volume.

Q. And could you explain a little bit more fully what a newspaper insert is and who the customers are that you sell newspaper inserts to?

A. We do grocery inserts for Great Scott out of Detroit, Abner Wolf out of Detroit, Kroger Corporation out of Detroit, Kroger Corporation out of Cincinnati, Ohio.

Q. And how long has NTA Graphics, Inc., the Employer in this case, been in business?

A. We started printing in October of '84.

Q. I would like to have you, if you could, Dave, explain how it is that the company proceeds from [p. 16] receiving an order to turning a product around; and what I'm most interested in is the duties performed along the way by the employees that are in dispute in this hearing.

A. Okay. Copy is picked up generally by myself from the advertiser. I take the copy from him to the plant and discuss with the composition department the requirements of the job.

The composition department makes the job ticket necessary for all departments to perform the job. They do

the paging for the various versions. They instruct the pre-press department on color, configurations. They instruct the press room on paper size and quantities. They discuss with the – direct the shipping department the destinations that the job is to go to.

HEARING OFFICER: What is copy? What do you mean by copy?

THE WITNESS: Mechanical drawings, the mechanicals that we take photographs of and then create the circulars with.

HEARING OFFICER: Okay.

THE WITNESS: From the composing department it then goes into the camera room where the person photgraphs [sic] it, pulls the negatives.

[p. 17] It goes from there to a proofing –

BY MR. McCARTHY:

Q. Let me interrupt for a second just so we're clear, David.

The camera room, what department is that a part of, if any?

A. The camera room is included in the pre-press.

It comes out of the camera room, goes to a proofing station that it's dyluxed for the customer's sake.

It then goes to the stripping department which also is in the preparatory department. They then cut the color, organize the pages, do all the stripping work for the flats.

It then goes to another proofing station where the color keys are generated. That department also is in the pre-press preparatory department.

If the color is correct, it goes on to the plating department, which is in the preparatory department. The plating department then makes the plates, proofs off the black and white proofs that the customer sends to us, assembles the plates for the pressroom, assembles the skid labels, the bundle tags, all of the things that the composition department does for the job ticket and assembles them in folder racks [p. 18] for the press room.

Mr. Skwiera creates the press sequence on how things are going to run.

The composing department then assembles the plates in that fashion. The pressmen come in –

Q. Just so the record is clear, David, could you identify who Mr. Skwiera is, his job title?

A. Mr. Skwiera is the Plant Superintendent, and he takes care of the quality control.

HEARING OFFICER: Could you spell his name, please, for the record?

THE WITNESS: S-k-w-i-e-r-a.

From the assembly of the plates and the putting in the folder, the pressmen request the plates by what folder they're running. They take it, they mount the plates on the press from the webs and all that, and then the first copies off come back to the plating department for proofing. Okay. The pressmen page proof at the press to make

sure that all the pages are in sequence off of the job ticket that the composition department generates.

If the page proofing is correct, it goes back to the plating department and they then word for word proof the circular to make sure that it's correct.

[p. 19] BY MR. McCARTHY:

Q. Now, when you refer to the plating department, is that part of a larger department?

A. It's part of the preparatory department.

Q. Okay.

A. In the preparatory department you have the camera, the stripping and the plating and the proofing, and actually the composition.

From the pressroom the pressmen put it on the press. They have material handlers that work in the shipping-receiving department that bring the rolls of paper to the press, and after the product is printed they remove the printed product and make it ready for shipping. They also remove the waste generated by making ready the rolls and to make ready waste from the press to start up.

They weigh the pallets out, they weigh all the waste to keep track of paper used on the job. The material handlers then take the product into the back, they wrap it, make sure the counts are right, stage the loading dock for the truck drivers, and then on specific shifts they load the trucks so that when the drivers come in they can take them out.

Q. Could you describe for us, please, what your maintenance department, if any, is and what [p. 20] functions it performs?

A. In the maintenance department we have janitorial and building and mechanical.

The janitorial keeps the entire plant clean, including the pressroom, in front of and behind the press.

The mechanical people keep the presses running and/or do the preventive maintenance on the presses so that they do run on or off base.

Q. You referred to building employees in the maintenance department?

A. The janitorial, the building maintenance.

Q. As far as –

A. Replacement of windows, carpet cleaning up front.

MR. McCARTHY: How do you want this marked?

HEARING OFFICER: Mark this Employer Exhibit 1.

(The document above-referred to was marked Employer's Exhibit No. 1 for identification.)

BY MR. McCARTHY:

Q. David, I've handed to you what's been marked for purposes of identification as Employer Exhibit 1. Can you take a look at that, please, and if [p. 21] you know what it is please explain what it is?

A. It's a listing of the employees by department and their classification.

Q. Does Employer Exhibit 1 contain the names of all employees of NTA Graphics, Incorporated, at least as of this time?

A. As of – yes.

Q. And Employer Exhibit 1 indicates various departments. Does it accurately depict which employees are assigned to which departments?

A. Yes, it does.

Q. And Employer Exhibit 1, next to the name of each employee, identifies a job classification. Does Employer Exhibit 1 correctly and accurately depict the job classification held by each of the employees named in Employer Exhibit 1?

A. Yes, it does.

Q. Could you explain just briefly, David, the respective job duties of a pressman and a jogger and what the differences between those two job classifications might be, if any?

A. The pressman is responsible for hanging the plates, make sure – following the information off of the job ticket, and running the job.

The material handler – or the jogger takes [p. 22] the paper off the end of the press after it's printed, does utility – they do cleanup around their area.

The pressman – not to jump back and forth – makes sure that there's ink and water in the press and that the

press is operational to perform the work. They change the blankets if necessary, they change the – do light mechanical work on it if there's a tucker blade that bends or water roller that needs changing. Anything out of their normal operation of the press is handled by mechanics.

The jogger's primary function is to load the papers off of the press onto a pallet and clean up his area.

Q. And also I'd like to have you describe what degree of contact, if any, there is between the maintenance employees and the pressmen.

A. The janitorial maintenance or the mechanical maintenance?

Q. Both.

A. Both? Janitorial maintenance, they on a routine basis walk through, sweep the plant; they clean the pressroom itself; they shuffle the ink buckets that the pressmen don't use or waste out to the back; they clean behind the press.

The mechanical people do the work that the [p. 23] pressmen can't do. If there's a major fold to repair, gears off the back of the press, things out of the normal operation of running the press.

Q. I'd like to have you explain, David, if you could, whatever supervisory or leadership structure you have to oversee your operation here in Toledo; in other words, we've talked about what employees in different departments do. I'd like to have you explain what degree of supervisors – or supervision and how you go about supervising and leading the operations in those departments.

A. As the Operations Manager, I have Mr. Skwiera that is basically my right hand. He and I sit down and decide how things are going to run come Friday for pre-plant the following week. In each department there's basically a control person, a group leader or supervisor, however you want to locate them, that the information goes to.

Do you want me to do this by department?

Q. Yeah, I think that would be the easiest way to understand it.

A. Okay. Randy Perdue, in the shipping and receiving is the group leader, manages all of the paperwork-clerical functions. He does the incoming inventory, he does the shipper-receivers for the [p. 24] product that leaves the plant, and he directs his drivers and the other people. He accumulates all of the weight slips from the jobs, the waste slips, and gives me reports every Monday. He records everything supplied to him from his people and takes care of the ink reports on a weekly basis, and generally does the paper inventories for me.

Q. To whom does Randy Perdue report?

A. To Mr. Skweira and myself.

In the pre-press department we have Beryl Grisier that, aside being the one that does the order, routinely does the clerical work on the end of the week to supply me all the reports as far as the film usage, the plate usage, the daily time sheets, everything that is accumulated during the week for me to put into the job ticket for billing purposes. He also does the scheduling of the employees in that department.

In the pressroom you have Scott Shaffer that is day side supervisor. He's also a pressman and he's also a mechanic. He reports to Mr. Skwiera for the run sequences and such. He also keeps the presses running when the pressmen that we have have problems, and when required runs the press.

Hollis Shaffer is the third shift control [p. 25] person, is the person that did all of our training of the new guys. Anyone that trained went to third shift to train that didn't have prior experience, or even those that did have some prior experience but were unfamiliar with the press trained under Hollis. He's a mechanic, and he was the one that followed from Scott where we were on the schedule, just to make sure that everything ran accordingly.

Q. To whom does Beryl Grisier report?

A. Beryl also reports to Mr. Skwiera.

Q. Okay. Does Beryl Grieser have unilateral authority to order supplies and expend money on behalf of the Employer?

A. Well, Beryl turns in –

MR. McCLOW: I have an objection. I think we're getting into issues that aren't before the Hearing Officer, which is the scope of the unit rather than the supervisory functions. I thought we agreed we were going to save those issues for objections at the election, for challenges at the election.

HEARING OFFICER: Well, I don't know if they're going to be in issue. Is it your position that Mr. Grisier is a supervisor within the meaning of the Act?

THE WITNESS: No.

[p. 26] MR. McCARTHY: Contrary.

HEARING OFFICER: To the contrary? Okay.

MR. McCLOW: I thought we had agreed to save that for later, and besides that –

HEARING OFFICER: Okay.

MR. McCLOW: Besides that, I would have an objection to doing it now.

HEARING OFFICER: Okay. In other words then, so the record is clear, with respect, at least of this time, to Mr. Grisier, the Employer is not contending he's a supervisor within the meaning of the Act and, of course, the Petitioner is taking no position on his supervisory status at this time as well.

MR. McCLOW: That's correct.

HEARING OFFICER: Okay.

MR. McCLOW: Because we don't know if he's going to be in the unit or not, for one thing.

HEARING OFFICER: Okay. Well –

MR. McCARTHY: Well, let me state for the record that there are three persons identified as group leaders: Randy Perdue, Beryl Grisier, Hollis Shaffer. It would be the Employer's position that all of these folks are not supervisors within the meaning of the Act, are properly included within the bargaining [p. 27] unit. I didn't intend to address those issues, I guess simply because it's my understanding – I think the Region prefers to pare down the number of challenges to the extent

you can, and so it was my assumption that we try and deal with those also today, but I'll be guided by whatever the Hearing Officer prefers to do.

HEARING OFFICER: Mr. McClow, any position on that?

MR. McCLOW: Yes. My position is that when we stated the issues it was the units, not the people in the –

HEARING OFFICER: Well, that was the issue, of course. I mean if during the course of the hearing the parties raise additional issues that need to be litigated and resolved in some fashion, by all means, the, you know, we're going to entertain them

It's my understanding, though, that these three group leaders, the Employer is taking the position they're not supervisors. The Union is taking no position on their eligibility to vote at this time.

MR. McCLOW: That's correct, because it's my position it's a hypothetical question at this time.

HEARING OFFICER: At this time?

MR. McCLOW: Yes, it is. And we aren't prepared to go fowward [sic] at this time with it.

[p. 28] HEARING OFFICER: Okay. Well, I'll let you discuss what their functions are if it has a bearing on the community of interest matter, tell us what they do.

MR. McCARTHY: Okay.

HEARING OFFICER: Because the Director may sua sponte make a determination on that issue if he wants. Go ahead.

MR. McCARTHY: Can we go off the record briefly?

HEARING OFFICER: Go off the record, please.

(Discussion off the record.)

HEARING OFFICER: On the record.

BY MR McCARTHY:

Q. David, I's like to ask you when considering your group of employees as a whole, when you hire employees – and I'm talking about all the departments now – do you require any particular training of any of those employees? And if you do, tell us which groups of employees you demand any special training of.

A. Well, unfortunately, we're not in the high tech press areas yet. There's not a lot to draw from with experience. It's been our practice to bring in people with limited or no experience and teach them the [p. 29] operation and the function of the equipment that they're going to be using.

Q. Do you have any special educational requirements that you demand of any or all of your employees when they are hired?

A. No, it's basically on-the-job training.

Q. Do I understand correctly, David, that all the operations of the Employer are conducted at one facility located at 5225 Telegraph Road in Toledo, Ohio?

A. The printing, yes.

MR. McCLOW: I'm sorry. That wasn't responsive to the question.

HEARING OFFICER: Repeat the question again.

BY MR. Mc CARTHY:

Q. My question was are all the operations of the Employer conducted at its facility here in Toledo at 5225 Telegraph Road?

A. Yes.

HEARING OFFICER: This is off the record briefly.

(Discussion off the record.)

HEARING OFFICER: On the record.

Just so that the reader of this record [p. 30] understands what is going on right now, just during our off-the-record discussions Mr. McCarthy obtained a document which we are going to mark as Joint Exhibit No. 1. It's Joint Employer and Petitioner Exhibit No. 1. It is a diagram of the Employer's facility setting forth what the facility looks like.

(The document above-referred to was marked Joint Employer and Petitioner Exhibit No. 1 for identification.)

HEARING OFFICER: So we can now proceed, Mr. McCarthy.

BY MR. McCARTHY:

Q. David, turning your attention to what has been marked as Joint Exhibit 1, is that a reasonably accurate depiction of the layout of the plant, the Employer's plant here in Toledo?

A. Yes, it is.

Q. Could you – with reference to Joint Exhibit 1, various areas of the plant are given different names or are labeled differently. Just so that the record is clear, I'd like to have you identify, if you'll refer yourself back to Employer's Exhibit 1, where the employees in each department work as identified on Joint Exhibit 1, the plant diagram.

[p. 31] A. The composing department works in the – do you want me to write on this or –

Q. No, no.

A. No?

Q. No. Just –

A. – works in these offices, this area right here that is labeled "Office."

HEARING OFFICER: Excuse me. Is that where the area located the "Office," is that like in the northern-western side of the building, what?

THE WITNESS: North is that way.

HEARING OFFICER: North is that way?

THE WITNESS: South is that way.

HEARING OFFICER: It's a portion in the south. May I make a little –

THE WITNESS: In this area here?

HEARING OFFICER: In the south, like a little square, "north, south, east, west."

Okay. Just so that the reader of the record knows what I'm doing is I'm making a little compass, and it's a rough compass, but just give you the general directional –

THE WITNESS: East and then west.

HEARING OFFICER: It sets forth the north, south, east and west directions. There are two offices [p. 32] adjacent to each other in the southern portion of the building as set forth in Employer Joint Exhibit No. 1. These two offices are in between what is designated "Main Office Entrance" and "Employee Entrance," and it's kind of like across the hallway from the camera room and the pre-press computers. So that's what we're referring to.

Mr. McCarthy?

MR. McCARTHY:

Q. Okay. David, why don't you proceed with the other departments and identify where they work on Joint Exhibit 1?

A. The pre-press area is this entire area across – again, well, in this front office area, as they have marked "Camera Room" and "Pre-presses," the entire area across the face.

HEARING OFFICER: Okay. It's those three –

THE WITNESS: Three separations as they have there.

HEARING OFFICER: Three separations that are across the hallway, so to speak, from the composition or two composition offices. One of those areas is designated

on the exhibit as "Pre-Press," then there's like a break there and it says "Camera Room," and then there is also to the right of that – [p. 33] or I should say to the east of that on this form just blank office, which is also a part of the –

THE WITNESS: Preparatory.

HEARING OFFICER: – preparatory or pre-press. Pre-press and preparatory are the same thing?

MR. McCARTHY: Yes.

HEARING OFFICER: Okay. For the reader of the record, whenever you see like "Department 100 Pre-Press" on the document marked Employer Exhibit 1, "Pre-Press" is "Preparatory." Those words are used interchangeably.

THE WITNESS: Okay.

HEARING OFFICER: Okay. I'm sorry.

THE WITNESS: In the pre-press department you have the camera room, you have the stripping room, and you have the plating department, proofing department, all four of these to occupy this area.

This area that they have listed as "Future Pre-Press" is the area that we are designing for a scanning room.

HEARING OFFICER: Which department is that part of?

THE WITNESS: That would be part of the pre-press department also.

HEARING OFFICER: Okay. That's that section [p. 34] in the southwest corner of your facility.

THE WITNESS: Okay. The shipping-receiving department, although we have shipping docks here and receiving docks back here, there – there is a shipping-receiving office here. The paper received is all through this area, and the printed product is all through this area after – the paper is received in here and stored. It's called up, taken into the pressroom, printed, brought out here and stored.

HEARING OFFICER: Okay. For the reader of the record's purpose, what the witness is saying is that there is a receiving dock located roughly in the northwest side of the building. The paper to be printed is – to be used for printing is received at that receiving dock, and then it is stored at what is marked on the form as "Paper Storage." There is a shipping and receiving office in that area. It then goes to the – the paper then moves to –

THE WITNESS: The pressroom.

HEARING OFFICER: – the main pressroom, which is adjacent to the pre-press offices that we referred to earlier. Okay. What –

THE WITNESS: From the pressroom it comes out into the storage area here, which is considered the high bay because of this 25-foot ceiling.

[p. 35] HEARING OFFICER: Okay.

THE WITNESS: But it's staged here, and then the shipping trucks are all on the dock and they load up here.

HEARING OFFICER: Okay. So high bay is in the eastern portion of the building and the finished product goes via the docks located in the high bay area.

THE WITNESS: Okay.

HEARING OFFICER: Okay.

THE WITNESS: So the shipping and receiving people are all through this area on a continual basis all day long. They're in and out of there all day.

HEARING OFFICER: Okay. So they walk – So we understand and so the reader of the record understands, the shipping and receiving people work carries them anywhere from where the receiving dock is marked on Joint Exhibit 1 to where the paper storage is to an area which says –

THE WITNESS: "Main Press Room."

HEARING OFFICER: – "Main Press Room" to an area on the Joint Exhibit that says "High Bay Area." They travel and their job takes them in all those areas. Okay.

THE WITNESS: The shipping and receiving people also store their scrap out in the same area. [p. 36] It's generated in this room and it's stored over here.

HEARING OFFICER: Okay. "This room" doesn't mean anything to a person reading the transcript. Be a little more specific.

THE WITNESS: Okay. The waste generated in the main pressroom is taken to the high bay area and stored, as is the printed product for shipping.

HEARING OFFICER: Scrap storage is kind of like in the northern portion of the high bay area.

THE WITNESS: Northern, right.

HEARING OFFICER: Okay.

THE WITNESS: The press room, we have two. We have the "Main Press Room," which they have diagramed [sic] here, and we have a second press room out back. The main press room is where the majority of our work is at the present time. The heat set press is – has been tested, and the eight-unit 845 is a running machine; however, we don't have many jobs for it because it's a high-volume press.

The pallet area is in this high bay. It's in the eastern section of the high bay. They produce the pallets necessary for the pressmen to put the printed product on to ship it out of the building.

The maintenance department, there's a maintenance office here and there is a maintenance [p. 37] area in the back. The custodial maintenance office is right here, and now the areas in which they store their mop buckets, things to clean the press with, and all that such are in this room also.

HEARING OFFICER: Okay. You're going to have to define "there" because, like I say, somebody reading the transcript won't know what you mean.

THE WITNESS: Okay. It would be in the second pressroom, in the back of the building.

HEARING OFFICER: In the back pressroom where the heat set being is erected. So that custodial, that little office there in the secondary pressroom, kind of across from where the paper storage is, is called "Custodial." That's where your custodial maintenance office is?

THE WITNESS: Right.

HEARING OFFICER: Okay. And adjacent to that office on the eastern side are places for the buckets and everything, right?

THE WITNESS: Correct.Okay.

THE WITNESS: Okay. The maintenance and rebuilding section in the northern section of the building is where there are presses being rebuilt and equipment goes to that department to be repaired, for [p. 38] example, the counterveyors off of the press, when they break one is rolled into the back and one that's been rebuilt is brought up to the front. There's an exchange of equipment. And then the maintenance people rebuild it.

There's also an inventory storage room in this maintenance and rebuilding thing in the northern portion of this picture that all of the supplies are stored now for the building maintenance, the press maintenance, all of our inventory is in this back maintenance and rebuilding room in the northern room with the exception of paper and ink.

HEARING OFFICER: Okay. That room is designated "Maintenance and Rebuilding" on the chart that we have before us, Joint Exhibit 1.

THE WITNESS: Maintenance, you have offices in the southeast corner. All your management and office personnel, as on the Exhibit 1, are in this southeast corner next to the high bay in the front area, office area. So we have this, this, this. That's it.

MR. McCARTHY:

Q. David, you've identified the area in the plant where the composition department employees work.

A. Correct.

[p. 39] Q. Do those, the employees in that department have occasion to be outside those offices at any time?

A. Yes. They frequent the pre-press preparatory department quite often, because what they do – the preparatory department can't do anything until they're done with their job.

Q. Until who's done with their job?

A. Until the composing department is done with their function, the pre-press can't do anything. They take the product into there, they discuss the job, they also go into the plating area, which is adjacent to the pressroom to – for the job skid labels, which – the area is accumulated in this southwest corner of what they have labeled as the "Pre-Press Department."

So, yes, they frequent the pre-press department regularly. The time clock is in the pressroom. Everybody has to go through that. And –

HEARING OFFICER: The time clock is in the main pressroom or the secondary?

THE WITNESS: Main pressroom. The time clock is in the main pressroom right outside the quality control office here.

HEARING OFFICER: Okay.

THE WITNESS: They deal with –

[p. 40] BY MR. McCARTHY:

Q. You say –

A. Excuse me. They deal also with the shipping-receiving people, if not in person by the telephone communication system in the building.

Q. You say everyone goes through the time clock. Can you identify – maybe the easiest way to do it is tell us who does not punch the time clock.

A. The only people that don't use the time clock are myself, Gail Tremonti and Frank Skwiera. Everybody else is hourly. Everybody.

Q. When you say "hourly," what do you mean by that?

A. They get paid on an hourly basis.

Q. And they all – other than the three you mentioned, they all punch the time clock?

A. Yes.

Q. Now, you identified on Joint Exhibit 1 the area where the employees in the pre-press department work.

A. Correct.

Q. Do the employees in that department have occasion to be outside those offices in other areas of your facility?

A. Yes. They – other than punching in and out [p. 41] tjey [sic] have the – they're in the pressroom regularly to A, deliver plates, B, shut down a press if it's – in their proofing system have found out that the version

that they're running, if there's an error in it, they go out and they shut down the press. They work –

Q. How do they go about shutting down the press?

A. After the pressman has page-proofed a version it's brought back to the preparatory department, it's proofed; if there's an error they then go out physically and shut down the press, as far as tell the press –

Q. Do they shut it down?

A. No, they tell the pressman to shut it down.

Q. Okay. Any other occasions that employees in the pre-press department might be found outside their specific offices?

A. Just if they're working with the pressmen on a press problem, or a test.

Q. Can you give us any idea, David, as to the total square footage of your facility here in Toledo?

A. It's just under 100,000 square foot.

HEARING OFFICER: Can you give the dimensions, like length and width, roughly? You don't have – just as close as you can.

[p. 42] THE WITNESS: I know it's 100,000 square foot. I know this room is 25,000 square foot. I know this –

BY MR. McCARTHY:

Q. Which one is that now, David?

A. This is the high bay.

HEARING OFFICER: The high bay is 25,000 square foot.

THE WITNESS: Uh-huh. The pressroom itself is roughly – these rooms are proportionately run, but these rooms are – is roughly 25,000 foot. The office, pre-press, preparatory, management office, composition office is roughly 12,000 square foot.

This future pre-press room is roughly 3500 square foot.

The maintenance rebuilding area is roughly 35 to four thousand square foot.

And the 845 in the paper storage area would make up the difference along with Mossing Machinery. Mossing Machinery is around 2500 square foot.

HEARING OFFICER: What is Mossing Machinery? Is that – what department is that?

THE WITNESS: Mossing Machinery is owned by David Mossing. He does mechanical repair for us, to keep the presses up. If there's an emergency nature, [p. 43] as far as a gear breaking, an emergency repair, we need something, he will generate that for us. He bills NTA geographics [sic].

HEARING OFFICER: He's not an employee of the company?

THE WITNESS: He's not an employee.

HEARING OFFICER: Okay.

THE WITNESS: The balance is made up of the 845 pressroom as we call it and the paper storage area, to up to 100,000 square feet.

BY MR. McCARTHY:

Q. David, Joint Exhibit 1 makes reference to a cafeteria?

A. Yes.

Q. Would you tell us who uses that cafeteria?

A. Everybody. There is a bank of vending machines in there and picnic tables for the lunch hours for everybody's use. The office people get their pop out of there, they seldom sit and eat out there. We also use the cafeteria as a training room when we have – and/or when we have meetings we have them in that room.

Q. You mentioned that all employees – well, let's say all employees under consideration here today are paid on an hourly basis.

[p. 44] A. Yes.

Q. Could you please go through department by department and tell us the range of hourly rates for employees in that department, and by that I mean working in a department what the lowest hourly rate is and what the highest hourly rate is.

A. Okay. Excluding management and office because they're not included here?

Q. Yes. We're not concerned with those.

A. The Department 900, Maintenance, you have 4.50 to $10.00; Pallets, you have 6.50; Shipping-Receiving, you

have anywhere from 4.90 to $9.00; Composing, you have $6.00 to 7.50; Pre-Press, you have 4.90 to 9.25; Pressroom 3.85 to $9.00.

HEARING OFFICER: Stop. Just a quick question. Sorry to interrupt, but there's a Department 910 on Employer Exhibit 1 called "Pallets."

THE WITNESS: That was 6.50.

HEARING OFFICER: That's 6.50?

THE WITNESS: $6.50.

HEARING OFFICER: Is pallets a separate department and entity unto itself, or is that part of the maintenance?

THE WITNESS: Part of the maintenance.

HEARING OFFICER: It's part of the [p. 45] maintenance –

THE WITNESS: 900.

HEARING OFFICER: Okay. It's really part of 900, so it's –

THE WITNESS: It's a sub.

HEARING OFFICER: For purposes of this petition, when we refer to maintenance department, we're also including Paul Griener, G-r-i-e-n-e-r, who is the pallet man.

THE WITNESS: Let me clarify. The pressroom, were you including supervisors when you asked that question or the –

BY MR. McCARTHY:

Q. Not including Scott Shaffer.

A. Not including Scott Shaffer?

HEARING OFFICER: No. We're not including supervisors within –

THE WITNESS: Okay. What about the questionable people, or we don't have –

HEARING OFFICER: Pressroom?

THE WITNESS: Yes.

HEARING OFFICER: What is the range of hourly wages?

THE WITNESS: Right. As far as – Howard Shaffer is on here. Include him in that figure?

[p. 46] BY MR. McCARTHY:

Q. Yes.

A. Okay. It stays 3.85 to $9.00.

Q. I'd like to have you discuss, Dave, the – what daily work schedules employees work, and tell us if there are any differences in those daily work schedules among the various departments.

A. The pre-press department and composing and pressroom – well, one by one.

Pre-press generally starts Monday morning at six o'clock, works for three days, is off Thursday, works Friday. Because of the configuration –

Q. Begins at 6:00 Monday through Wednesday. When do they end?

A. Begins at six o'clock Monday morning. Right. There's people in the department all week long, but the major folks work three days off, one on one. There is a person that works five eights to cover the shifts when there's nobody there.

Q. Okay. The three – the persons that work three days on, one day off, they begin at 6:00 a.m. in the morning, and what time do they end their shift on Monday through Wednesday?

A. Well, right now we're on two shifts. We're working day side. And, actually, all of the hours are [p. 47] different in the department. You have a person working Monday morning from 6:00 until 4:00. You have a person working 2:00 until midnight. You have a person working 4:00 until 2:00. You have people working from midnight until 10:00 in the morning. It's just a variety of – and you have some part-time people in there from 8:00 until 2:00 at night and from 8:00 until midnight, Monday till Wednesday, because that's when the brunt of our work comes in, in that department. They also work Friday because they get ready for the Monday. We get the color boards in early and Caroline will make the job tickets.

Q. Who is Caroline?

A. She's in the composing department.

Q. Okay.

A. For those folks to cut the color.

Q. Friday, what's their Friday schedule?

A. Friday, if there is no press running they're out of there at midnight.

Q. When do they start?

A. Well, it's just – you'd have someone starting, depending on the copy for the midnight, you have the kid during the day that works 8:00 to 4:00 on Friday. By the time Friday comes we're back to an eight-hour shift.

[p. 48] Q. Okay.

A. Okay. The pressroom, we're currently working eights and twelves. We work an eight-hour shift on – starting Monday midnight to Tuesday morning 8:00 a.m., and then from Tuesday morning till – 8:00 a.m. till Tuesday morning – Tuesday evening 8:00 p.m. they go to 12-hour shift. So they're working roughly 44 hours a week.

HEARING OFFICER: How many shifts do you have in the pressroom?

THE WITNESS: Right now we have two.

HEARING OFFICER: Two shifts. What are the shifts generally, morning shift and a –

THE WITNESS: We have a day and a night shift now because –

HEARING OFFICER: A night shift and a day. Okay.

THE WITNESS: Midnight we'll start – you know, they start Monday midnight, work for eight hours, and then you start Tuesday day and work three twelves, and then Friday they work an eight. Monday midnight they start, they work an eight and then they come back

with three twelves; and it depends on if there's work on Friday, if there's work on Friday we stay.

[p. 49] BY MR. McCARTHY:

Q. I'm a little bit – I'm unclear on the employees that start Monday at midnight and work eight hours. You say they also work three 12-hour shifts? When are those three 12-hour shifts?

A. Starting Tuesday night.

Q. Tuesday night. Okay.

A. Right.

Q. Tuesday midnight?

A. No. They come back Tuesday at 8:00 p.m. to work for three twelves.

Q. Okay.

A. The composing department, they work a variety of hours. They might work six hours on Friday, 12 hours on Monday, 13 hours on Tuesday, and not work Wednesday and Thursday; work 2 hours on Wednesday and not work Thursday at all. There's two people in the department and they just work when there's jobs come in, jobs come in.

The pallets, they work roughly 8:00 to 4:00, 8:00 to 5:00 five days a week.

Maintenance department is – you have two shifts. Have a janitorial on second that works 4:00 to midnight. The other guy – two guys work 8:00 to 4:00, and then the – well, the other four guys then [p. 50] work 8:00 to 4:00, 8:00 to 5:00, in that area, depending on the work.

I think that covers it.

Shipping and receiving, they start on Tuesday, work till Saturday. If there's no Saturday delivery, they work Monday to Friday.

Q. Okay. And what schedule do they work Tuesday through Saturday?

A. They're pretty standard. They're pretty – 8:00 to 4:00 or 4:00 to 12:00, 12:00 to 8:00.

HEARING OFFICER: You have three shifts for shipping and receiving?

THE WITNESS: Yeah. There's overlap on all of them. I think they're working 10-hour shifts. They're all overlapping.

Office and management is not applicable.

BY MR. McCARTHY:

Q. Now, the employees in the various departments, maintenance, shipping and receiving, composition, pre-press, pressroom, are these employees subject to the same disciplinary rules or do you have different disciplinary rules for each department?

A. Absence, tardiness, doing something wrong, they all – the same procedure is followed.

[p. 51] (A document was marked Employer's Exhibit No. 2 for identification.)

BY MR. McCARTHY:

Q. David, you've been handed what's been marked for purposes of identification as Employer Exhibit 2. Can you tell us what that is, please?

A. It's our Employee Handbook.

Q. And Employer Exhibit 2 – well, why don't you describe what the Employee Handbook contains?

A. The Employee Handbook is an overview of – it's welcoming you to the staff as a new employee; it gives you in black and white the guidelines to follow, who to talk to. It answers questions of procedures, overtime pay, hours of work, the benefits provided. It goes into disciplinary procedure. It has fire and emergency procedures, your benefits, general working rules and regulations to try and follow, and safety rules in here.

Q. Okay. Which employees in your operation are governed by Employer Exhibit 2, the Employee Handbook?

A. Everyone has been issued one from management down, and there's one in their files. Everybody in the place.

Q. Okay. You made mention of benefits being [p. 52] listed in the Employee Handbook.

A. Yes, it is.

Q. We don't need to read those, but can you give us a list of the benefits described in the handbook?

A. Described, you have the vacation schedule, for after periods of time. You have the insurance and medical and life insurance is stated in there. It doesn't say anything about the uniforms or the shoes that we issue, but those are issued after 90 days.

Q. The benefits described, are those the benefits provided to all employees?

A. Yes.

Q. With respect to things like insurance benefits, are all employees – again, when I use the word "employees" in these questions I'm referring to the employees in issue in this hearing today.

A. Okay.

Q. – which is all but management and office clerical employees.

A. Okay.

Q. Do all those employees receive the same medical insurance benefits?

A. Yes. Same life insurance, too.

Q. Same life insurance?

[p. 53] HEARING OFFICER: Who is your medical policy with?

THE WITNESS: Toledo Health Plan.

HEARING OFFICER: And your life insurance?

THE WITNESS: C&M Alliance out of Connecticut.

BY MR. McCARTHY:

Q. The handbook describes in the benefits section vacation benefits?

A. Yes.

Q. Are the same vacation benefits provided to all employees?

A. Yes, they are.

Q. You made mention of an hourly rate. All employees are compensated on an hourly basis as you've previously testified to. Do any employees receive any piece rate compensation?

A. No.

Q. Do any employees receive any commission compensation?

A. No.

MR. McCARTHY: I need one second.

HEARING OFFICER: Off the record.

(Discussion off the record.)

(A brief recess was taken.)

[p. 54] BY MR. McCARTHY:

Q. David, referring to different parts of the handbook, if you need to look at that or read them please do so, but I don't believe you will, the handbook discusses a policy on overtime pay.

A. Un-huh.

Q. Or I guess tells an employee how and when they receive overtime pay.

A. Correct.

Q. Is that policy applicable to all employees?

A. All employees.

Q. There's a discussion of payday. Is that procedure applicable to all employees?

A. Yes.

Q. There is an absence policy. Is that policy applicable to all employees?

A. Yes, it is.

Q. There's a statement of disciplinary procedures?

A. Correct.

Q. Are those procedures applicable to all employees?

A. Yes, they are.

Q. There is a smoking prohibition policy. Is that policy applicable to all employees?

[p. 55] A. Yes, it is.

Q. There are various rules as to the facilities. Are those rules applicable to all employees?

A. Yes, they are.

Q. There are rules on telephone calls and personal visitors. Are those rules applicable to all employees?

A. Yes, they are.

Q. There are rules – I'll put them together – on plant visits, solicitation and distribution, off-duty access; and to the extent those rules apply to any employees, are they applicable to all employees?

A. Yes, they are.

Q. There is a policy or discussion of security procedures. Are those procedures applicable to all employees?

A. Yes, they are. That's been stepped up, too.

Q. And there is a policy on bulletin boards. Is that applicable to all employees?

A. Yes, it is.

Q. At the back of the handbook – I don't have a page number, but there is an acknowledgement form.

A. Correct.

Q. Were all employees required to sign that form?

[p. 56] A. Yes, they are.

HEARING OFFICER: Off the record briefly.

(Discussion off the record.)

HEARING OFFICER: On the record.

MR. McCARTHY: I have no further questions at this time.

HEARING OFFICER: Petitioner counsel, you may proceed.

MR. McCLOW: Are we going to take a lunch break?

HEARING OFFICER: Off the record.

(Discussion off the record.)

HEARING OFFICER: Back on the record.

CROSS-EXAMINATION

BY MR. McCLOW:

Q. You've located the main pressroom on the diagram. The pressroom is basically in the middle of the plant; is that right?

A. Correct.

Q. And there are walls to the south of the pressroom and a complete wall to the south and to the north of the pressroom; is that right?

A. Yes.

Q. And that wall goes all the way to the ceiling?

[p. 57] A. Yes.

Q. All right. So there's a separation between the pre-press area and the pressroom by – was it a brick wall or –

A. Yes.

Q. The entrances to the pressroom are on the east and the west side, is that right, of the pressroom?

A. East and west and there is one on the south wall.

Q. And that's between the –

A. It's in the quality control area.

Q. Between the two offices?

A. Well, it accesses the pressroom to the front of the building.

Q. Okay. So in order to get from the pressroom to the front of the building. you go through the quality control office and then into the main office area; is that right?

A. Correct, or around

Q. Or else you can go out the west side.

A. West end.

Q. West end and go around?

A. Correct.

Q. Right. Is that door between the two offices still open to employees to travel through it?

[p. 58] A. All the pre-press and the front office people walk through that, yes.

Q. But the pressroom people can't walk through that; is that right?

A. They can walk in through here or they go in through the employee entrance to the locker room to the time clock, to the locker room, to the employee entrance.

Q. What you're saying then is that the press employees do not use the restroom then in the front office space; is that right?

A. Correct.

Q. The pre-press employees do use that restroom?

A. Yes, they do.

Q. And the pressroom employees use the locker room restroom that's in the back of the plant; is that right?

A. Correct.

MR. McCLOW: Can I go off the record for a second?

HEARING OFFICER: Off the record.

(Discussion off the record.)

HEARING OFFICER: On the record.

[p. 59] BY MR. McCLOW:

Q. In the pressroom there are approximately six presses; is that correct?

A. (No response.)

Q. And they're designated with number and letter designations?

A. Two, four, six folders.

Q. And a press is a fairly complicated piece of machinery; isn't that correct?

A. Yes.

Q. It's composed of a place where the paper rolls are loaded onto spindles and call it Butler, is that right?

A. Correct.

Q. And each Butler has a place for two rolls of paper?

A. Yes.

Q. And the reason for that is that these Butlers are able to piece the tail end of one roll of paper to the front end of another roll of paper; is that right?

A. Yes.

Q. So you've got a continuous operation without shutting down the press and reloading the paper; is that right?

[p. 60] Q. And the duties involved in loading the paper onto the Butlers is the pressman's and the jogger's; is that right?

A. Yes.

Q. The six presses in the pressroom are designated 1A, 1B, 2A, 2B, 3A and 3B; is that right?

A. Yes.

Q. Is it correctly designated on this diagram?

A. Yes, it is.

HEARING OFFICER: For the reader of the record or the transcript, you'll see the main pressroom on Joint Exhibit 1 and on – by the walls on each side – it's kind of self-explanatory – you will see where the presses are located. They're not in the center of the room but rather by the walls. 1A, 1B, 2A and 2B on the north wall; is that right?

THE WITNESS: Yes.

HEARING OFFICER: And 3A and 3B on the south wall?

THE WITNESS: Correct.

BY MR. McCLOW:

Q. These are web presses, right?

A. Yes, they are.

Q. And a web press is a press that has a continuous feed from a paper roll; is that right?

[p. 61] A. Yes.

Q. That's opposed to a sheet-fed press which sheets of paper are inserted into the press; is that right?

A. That's correct.

Q. You don't have sheet-fed presses, do you?

A. No.

Q. Now, each press in the main pressroom has several units; is that right?

A. Yes, they do.

Q. And each unit puts a particular color on the paper; is that right?

A. Yes, it does.

Q. And the presses that you've got, each unit has the ability to put an image on the top and bottom of the paper at the same time; is that right?

A. Yes.

Q. And just so the person who is reading the record can understand a little bit about this procedure, there are several cylinders in each unit, is that right, metal cylinders?

A. Yes, there's four in each unit.

Q. And then there are smaller cylinders for the ink and the water; is that right?

A. Rollers, correct.

[p. 62] Q. So you have four cylinders and several rollers?

A. Correct.

Q. There is a blanket cylinder on the top and the bottom; is that right?

A. Yes, there is.

Q. And the paper runs between that; is that right?

A. Yes.

Q. All right. And the blanket is a rubber blanket that's attached to a metal cylinder; is that right?

A. Yes.

Q. And then above that, with respect to the image that's put on the top of the paper, there is another cylinder to which the plate is attached; is that right?

A. Yes.

Q. And the same thing happens on the bottom –

A. Correct.

Q. – underneath the blanket, so that there is a – the plate cylinder where the plate is attached; is that right?

A. Correct.

Q. And when the paper runs through the blanket [p. 63] blanket cylinders, what happens is ink is placed on the rollers which then is transferred to the plate cylinder, the plate on the plate cylinder; is that right?

A. Yes.

Q. And then the ink on the plate is then transferred as the cylinder goes around to the blanket cylinder.

A. Yes.

Q. The rubber blanket on the blanket cylinder; is that right?

A. Uh-huh.

Q. And then the image is put on the paper by the rubber blanket?

A. Yes.

Q. And a pressman is responsible for such things as alignment of the images that are placed on the paper?

A. Yes.

Q. For the darkness of the color?

A. Yes.

Q. And in order to control the darkness or lightness of the color, you – there are gauges that adjust the water flow and the ink flow; is that right?

A. There's keys on the ink.

[p. 64] Q. There are keys on the ink tanks that you adjust –

A. Fountains.

Q. The fountains, so you let more or less ink in; is that right?

A. Correct.

HEARING OFFICER: The pressman is responsible for adjusting those keys?

THE WITNESS: Yes, he is.

HEARING OFFICER: Okay.

BY MR. McCLOW:

Q. There are also various controls that control the tension of the paper, the speed of the paper, as I said, the alignment of the paper on the rolls, and also the placement of the image in a particular spot on the paper; is that right?

A. Correct.

Q. And what happens is the paper goes through one unit and a certain color image is imprinted or placed on the paper; it goes to the unit, another color image is placed on it; and it goes to the third unit another color; and then it goes to the fourth unit, another color. Is that basically right?

A. Correct.

Q. And if there's four units in a particular [p. 65] press, you can place four colors on that papers; is that right?

A. Yes.

Q. And that's why they're called a four-color press?

A. Yes.

Q. And most of these presses that you have are four-unit presses; is that right?

A. They're laid out in configutation [sic] such that you can run a four-unit or an eight-unit together.

Q. When you run an eight-unit, you have to [sic] presses going into the same folder basically; is that right?

A. Yes. And then there's one press that has 12 units.

Q. And which one is that?

A. It's on the south wall.

Q. And that's 3A and 3B together; is that right?

A. Correct. 3A and 3B, right.

Q. After the image is placed on the paper, it goes into the folder where it's slit, folded, and cut; is that right?

A. When applicable, yes.

Q. When applicable. If it needs to be folded, [p. 66] and –

A. It's folded anyway and comes out into a section, yes.

Q. And the jogger's job generally, when the press is running, is to take the finished product, the finished folded product out of the folder and stack it on pallets?

A. Correct. To make sure the count is right coming out of the folder.

Q. And the jogging term comes from, I suppose, jogging the papers to get them even; is that right?

A. To make a brick, yes. To make a brick.

HEARING OFFICER: The stacks of product are folded, and the product is called a brick? I mean you –

THE WITNESS: When you stack them up, yes. Lifts – well, it varies all over. You have lifts of 50, bundles of 250, so it's five stacks of 50, alternated, and then that's a brick.

HEARING OFFICER: Okay. And the stack is a brick.

THE WITNESS: That stack has then become a brick.

HEARING OFFICER: Okay. I just want to know terms of the art or jargon here.

[p. 67] MR. McCLOW: Try to keep away from that as much as we can.

BY MR. McCLOW:

Q. Now the only employees who work in the press-room on a regular basis are the pressmen, the pressmen trainees and the joggers; is that right?

A. The material handlers are in there all the time.

Q. But they don't work in there all the time. They bring the paper in and then they go back out, and then they take the skids out and they go back out; is that right?

A. They bring the product in and they take the product out, and they take care of all of the –

Q. Well, when you say they take the product in, what they do is take in the rolls of paper?

A. Rolls of paper, correct. They don't take –

Q. And they do that by what they call clamp trucks; is that right?

A. Correct.

Q. And a clamp truck is a – is that sort of like a high-low that's got clamps on the side that clamps to the

rolls of paper, to the bottom roll if they're taking more than one?

A. Uh-huh.

[p. 68] Q. And they lift that up and they move it into the pressroom and set it down near the butler that is gong to use that kind of paper; is that right?

A. Correct.

Q. And then they leave, right?

A. yeah.

Q. And if they're going to go get the finished product out of the pressroom, which is now on a skid, they get a forklift truck, not a clamp; is that right?

A. Right.

Q. And then they take that into the high bay area; is that right?

A. Right.

Q. With respect to the janitors, you say they are in the pressroom to sweep and mop the floor?

A. Yes.

Q. They sweep and mop the entire facility; is that right?

A. Yes, they do.

Q. They do the offices?

A. Yes.

Q. They do the pre-press area?

A. Yes.

Q. They do the locker room and the restrooms?

A. Yes.

[p. 69] Q. Their responsibility is to keep the entire area clean; is that right?

A. Uh-huh.

Q. And there is one janitor for each press; is that right?

A. No.

Q. I mean one janitor for each shift?

A. Roughly, yes. One eight-hour. The janitors clean the pressroom because of the pressmen's inability to keep it clean. There was a half-hour overlap of shifts prior to us putting a janitor into the room on a regular basis because in the half-hour overlap it wasn't adequately being cleaned, and housekeeping is a fetish.

Q. Okay. So what you're saying is that at one point in time it was the press operator's and the jogger's job –

A. Responsibility.

Q. – to keep the press area clean.

A. Yes.

Q. But because management was dissatisfied with the way they cleaned or mopped the floor, when the moved supplies the janitors began to do that?

A. Uh-huh. They began to assist, yes.

HEARING OFFICER: When did they begin to [p. 70] assist, do you know how many years ago or months?

THE WITNESS: I'd put it three, six – eight months ago maybe.

BY MR. McCLOW:

Q. Now, janitors are not allowed around the presses when the presses are running; isn't that right?

A. Correct.

Q. They can only come in when the presses are shut down; isn't that right?

A. Well, they do the mopping and such through the plant when the presses are running, yes. They don't clean actually up on the press when they're running, no.

Q. They aren't allowed around the press when the press is running; isn't that right?

A. They clean behind them.

Q. When the press is running?

A. Yes.

Q. How many feet are there between the walls and the presses?

A. There's six foot.

HEARING OFFICER: So that the space between the presses themselves and the walls that we were referring to is six feet roughly?

THE WITNESS: Roughly.

[p. 71] HEARING OFFICER: Okay.

BY MR. McCLOW:

Q. Just so we get an idea as to this, earlier looking at the diagram, approximately how long is the unit 1A and 1B, for instance, how many feet long is this?

A. Folder to folder it would be about seventy foot.

Q. So these are large machines?

A. They're long, yes.

Q. And they have hundreds of rollers in them; is that right?

Well, let's say dozens, dozens of rollers?

A. There's rollers in them, but I couldn't tell you how many are in them, though.

Q. There's cylinders and rollers that do all sorts of different functions with respect to tension and alignment and so forth.

A. I believe so, yes.

Q. And with respect to getting one paper roller up to speed when it starts out,

A. That I don't know. Well, there's a speed control on the press, you can speed up with the press button.

Q. So you aren't sure about –

[p. 72] A. Right.

Q. – about whether this particular roll, to get the new roll up to speed, you don't –

Q. [sic] It's a zero speed butler. If the press is running at 20,000 pieces impression and it's set up properly, you can snap it and you won't miss a lick and it will just keep on running through.

Q. Are you a pressman yourself?

A. No, I'm not.

Q. In the pressroom, particular employees are assigned to particular presses on each shift; is that right?

A. Yes.

Q. And so there would be a particular person assigned to Press 1A; is that right?

A. Yes.

Q. And there would also be a particular jogger assigned to that particular press; is that right?

A. Yes. We try to keep teams.

Q. That's an expression, that the pressmen and joggers are assigned to a particular press and they function as a team; is that right?

A. Yes.

Q. And some of these presses – are they all the same or are there some different models?

[p. 73] A. We have a V-22 and a V-25. The only difference is the speed capability and the print quality. Same manufacturer.

Q. It's a Harris.

A. Harris.

Q. The function of the press operator is to set up the press, put the paper in the press, check the ink levels before a run, check the width of the paper, make sure it's correct, clean up the press before it runs – after it runs dyes and before it runs dyes, check the water level to make sure it's correct, check the ink level to make sure it's correct, and do all sorts of adjustments in order to make sure that the press run is going to be according to specifications; is that right?

A. Uh-huh.

Q. Maybe you'd better say "yes," because we've got a –

A. Yes.

Q. And the jogger, he helps the press operator get the press ready for a run; is that right?

A. He's supposed to, yes.

Q. That's part of his job?

A. Uh-huh. He also maintains the cleanliness around the press.

[p. 74] Q. His job also is to clean the floor around the press; is that right?

A. Right.

Q. I'd like you to look at company Exhibit 1, if you would. I'd like you to look at Department 000, the press-room. You have classifications of pressman trainee there; is that right?

A. Yes, I do.

Q. Now, the bottom of that department on the next page it says, "A trainee is anyone with less than three years experience," is that right?

A. Yes.

Q. Does that sentence apply only to the pressroom?

A. The trainees? No.

Q. No, "A trainee is anyone with less than three years experience," does that sentence apply only to pressman trainees?

A. No.

Q. Okay. What other trainees are there?

A. Well, when we teach someone the pre-press function.

Q. Now, looking at Department 100, there's nobody there listed as a trainee; is that right?

A. Uh-huh.

[p. 75] Q. Is that because they've been there for three – everybody has been there for three years –

A. No.

Q. – or is it because they came with prior experience?

A. They came with prior experience.

Q. Have you ever had a stripper or a camera trainee?

A. Yes.

Q. And who would that have been?

A. They're not on that list.

Q. They're no longer with the company?

A. No. On this –

Q. You wouldn't have a –

A. Excuse me. On this list the only one that we'd consider to be a trainee would be Darcy Doyle, in the pre-press department.

Q. And she's a plater?

A. Yes.

Q. But she's not listed as a –

A. No, she's not.

Q. – plater trainee?

A. No, she's not.

Q. Has she been there less than three years?

A. Yes, she has.

[p. 76] Q. Now you wouldn't, of course, have a janitorial trainee, would you?

A. No, I don't.

Q. And you wouldn't have a material handler trainee, would you?

A. No, I don't.

Q. It doesn't take three years to learn how to –

A. That's correct.

Q. – run a forklift, does it?

A. That's correct.

Q. And I expect that you don't have a driver trainee, either.

A. No.

Q. You hire drivers who are qualified, is that right?

A. With experience.

Q. And I expect you don't have a pallet maker trainee?

A. No, I don't.

Q. What a pallet maker does is he saws boards and puts them together; is that right?

A. Yes.

Q. Nails them together with an electric air gun?

[p. 77] A. An air hammer, yes.

Q. Do all your truck drivers have chauffeur's license?

A. Yes, they do.

Q. Are they the only employees that have a chauffeur's license as a requirement of their job?

A. As a requirement, yes.

Q. Under Department 000, you've only got one person listed as a pressman other than Mr. – the two Mr.

Shaffers, and that's Ron Nagle, who is also listed as a jogger; is that right?

A. Uh-huh.

Q. Has he had three years experience as a pressman?

A. No, he hasn't.

Q. So should he be listed as a pressman trainee?

A. Yes, he should.

HEARING OFFICER: Excuse me. What does utility mean? Under Department 000, the pressroom, it says "utility."

THE WITNESS: If the press is down and we need someone to trim a certain job they would go out and trim. It's a – you do all the functions of maintenance as needed.

[p. 78] HEARING OFFICER: Okay. Thank you.

BY MR. McCLOW:

Q. Okay. When you say that – all the joggers have a slash utility after their name.

A. Uh-huh.

Q. Basically, is that right?

A. Yes, sir.

Q. And you say when the press is down and there is nothing for them to do in the pressroom, you find something else for them to do?

A. Uh-huh.

Q. Is that right?

A. Yes. Janitorial is everybody's second job.

Q. Now, with respect to pressman training, you said it was on-the-job training; is that right?

A. Yes, it is.

Q. Have you hired any employees with press experience?

A. Yes.

Q. And if you hire an employee without pressman experience, does he sometimes work as a jogger?

A. He starts as – everybody starts as a jogger in the pressroom.

Q. And through being a jogger he can work with the presseman [sic] and see how the press works; is that right?

[p. 79] A. Right.

Q. And he can learn where the ink goes and he can learn where the paper goes and he can learn where the controls are, and those things; is that right?

A. Yes.

Q. And you consider that a person is not a full-fledged pressman unless he's had three years experience, either as a jogger or a pressman trainee; is that right?

A. Yes.

Q. A pressman trainee would sometimes run a press on his own prior to the time he became –

A. Yes.

Q. – classified as a pressman; is that right?

A. Yes.

BY MR. McCLOW: I'm going to show you – well, I'm going to get it marked first, I guess.

(The document above-referred to was marked Petitioner's Exhibit No. 1 for identification.)

BY MR. McCLOW:

Q. I'm going to show you what has been marked as Petitioner's Exhibit 1, and it's in a blue folder, and on the first page it's got in large letters Harris V-25 Web Offset Press Operating Manual. Is that [p. 80] an operating manual that NTA uses?

A. Yes.

Q. Is that a manual that NTA has distributed to its press trainees and pressmen?

A. Yes.

Q. That's a fairly detailed operating manual; is that right?

A. Yes.

Q. It's got some 70 pages; is that right?

A. Yes.

Q. And that particular manual describes in some detail the workings of a –

A. Press.

Q. – Harris Web Press; is that right?

A. Yes.

Q. It's a fairly complicated piece of machinery to operate, isn't that right?

A. Yes.

Q. It takes a long time to get skilled as to making a good finished product; isn't that correct?

A. Yes. It depends on the person's ability.

Q. Sure, and some people don't have the ability to do it ever; is that right?

A. That's correct.

Q. Now, with respect to the pre-press area, [p. 81] there are – there's a camera person, a stripper and a plater basically; is that right? Those are the –

A. Those are the functions –

Q. Those are the positions. Thare [sic] are several people, several strippers; is that right?

A. Yes.

Q. Those are distinct skills themselves; isn't that right?

A. Sure.

Q. A camera person learns his particular skill running the camera or going to an apprenticeship school; is that right;

A. Or on the job.

Q. Or on the job?

A. Uh-huh.

Q. But he doesn't learn generally more than one skill, he learns how to run the camera; is that right?

A. I would imagine, yes.

Q. And the strippers have a particular skill themselves, and that skill even varies with respect to what kind of a press it is, what kind of procedure that – what find of equipment you have and so forth; isn't that right?

A. I wouldn't think so. I think four-color [p. 82] stripping is four-color stripping if you're doing it for a web press or if you're doing it for a sheet-fed press. It's the same function.

Q. If you're doing it for offset lithographic it's different than if you're doing it for some other king [sic] of a printing method; isn't that right?

A. I don't think so.

Q. You don't think so?

A. I don't think so.

Q. In any case, you're running basically four-color offset –

A. Yes.

Q. – web press; is that right?

A. Yes.

Q. And performing the stripping function –

A. Yes.

Q. – is learned over a period of time or going through an apprenticeship school; is that right?

A. Yes.

Q. And I suppose there are some people who can do both camera work and stripping work, but generally people do one or the other; isn't that right?

A. Not in my plant. Everybody does everything. They do stripping. They have the ability to shoot. They do the plating. They have the ability to proof.

[p. 83] Q. So what you're saying is that in your plant the strippers can do camera work; is that right?

A. Yes.

Q. And can the plater do camera work?

A. Yes.

Q. So everybody in that particular group has some interchange of skills; is that right?

A. Yes.

Q. And that's through working together or prior experience?

A. Right.

HEARING OFFICER: Excuse me. Can somebody define for the record what the difference or distinction is between a "stripper" and a "plater," so we understand a little bit?

BY MR. McCLOW:

Q. Sure. Why don't you describe – well, first of all, the camera work is basically where they take the art work and take a picture of it and make a negative or a postive [sic]; is that right?

A. Yes.

Q. And in your shop they make a negative; is that right?

A. Yes.

Q. And then that negative is taken to a [p. 84] stripper who then lays that on a plate and focuses a light on it; is that right?

A. No. The negative goes to the stripping department. They then, if it's four-color, then strip the color into where it belongs.

Q. Now, when you say "strip the color into where it belongs," tell me what you mean by that.

A. Well, if you have this handbook and you want – it's black and white, that's a negative laid on a plate and printed, that's black and white. The stripper, all it does is tab it and it runs.

Four-color, if I wanted NTA Graphics in black, these stripes in red, yellow, blue, they would take this, lay it down with that negative, knock out each color independently.

Q. Well, how would they do this, with a knife?

A. With maskings, with X-acto blade and maskings. They then – they separate the colors. Okay, then now you

have four maskings to create, red, yellow, blue, black. That then goes to the plating department to be plated, and then you would have to – on my press you would put it on four units and plate red, yellow, blue and black.

Q. In other words, stripping is called stripping out the different colors basically, is that [p. 85] what they do?

A. Yes.

Q. And the plate maker – that's where I was getting confused I expect. Now how do they make the plate?

A. The plate maker takes the flats created from the stripper, okay, the four sheets, lays them down independently on a plate, burns the plate, develops the plate, bends the plate, and then they give them to the pressroom.

Q. And that's some sort of a photo-mechanical process, to burn the plate?

A. Overhead light, right.

Q. And the plate is a sheet of metal, a very thin sheet of metal, isn't it?

A. It's aluminum metal. Metal, yes.

HEARING OFFICER: Now I know. Thank you.

BY MR. McCLOW:

Q. All right. But each of those particular functions are a separate skill, and some people have more than one skill; is that right?

A. Yes.

Q. Now the plater after burning the plate, you say, gives it to the pressroom. What she actually does, she puts it in a cabinet in the pre-press area; [p. 86] is that right?

A. Yes.

Q. And with that plate there is – is there any –

A. Paperwork.

Q. – paperwork?

A. Yes.

Q. What is the paperwork?

A. The paperwork is the job ticket, the skid labels, the bundle tags that the pressroom needs to – you know, if you have a pallet with 30,000 items on it and there's 60,000 items for the run, you have two tags, each one of them would have 30,000 on it, Tag 1 of 2, Tag 2 of 2.

Q. And that tag would go to the pallet at the end –

A. Right. As –

Q. – and the jogger would put the –

A. As the pressman fills up the press, when it hits 30,000 they put a tag in it and the material handler takes it out, puts a new pallet down and they fill up a second one.

Q. This paperwork also indicates, besides the press run, the size of the paper; is that right?

A. Yes.

[p. 87] Q. And what generally happens is the material handler brings that size of paper into the pressroom.

A. Yes.

Q. And he gets that information off this paper?

A. Job ticket also, right.

HEARING OFFICER: Who prepares the job ticket again?

THE WITNESS: The composition department. The job ticket has all the pertinent information. The skid label is basically a repeat of the information. It doesn't say color, size and colors configuration, but it says web size, web grade, where it's going, how many pieces are on the pallet, if it's half full, three-quarters full, cut, trimmed. It tells everything on the ticket.

BY MR. McCLOW:

Q. The composition employees fill out the job ticket and attach that to the art work basically, which then goes to the camera room?

A. Uh-huh. There's an envelope created, job ticket, job envelope. Inside that job envelope are five press runs for the pressmen if we're going to go five out; the shipping department gets a copy of it; the plant super gets a copy of it; pre-press gets a [p. 88] copy of it; plating gets a copy of it. So everybody gets a copy. It goes to the camera, and then as it – it gets dispensed from there.

Q. Okay. But the composition room doesn't send one to each department; the person in the composition room puts it on the –

A. That's only for the pressroom. The preparatory department issues the pressroom press run. Caroline – or

the composition department goes ahead and issues two stripping, two pre-press – well, it goes in with the pre-press package, but two pre-press –

Q. I guess what I'm trying to say is that the composition room doesn't have a direct – doesn't take this job ticket out to the pressroom.

A. Not to the pressroom, no.

Q. The job tickets goes into the pre-press area along with –

A. The mechanicals.

Q. – the job, the mechanics, and then it's attached to the plates.

A. Right.

Q. And when the pressman comes in to pick up the plate, that job ticket is there.

A. Correct.

Q. Then he knows how to run the job.

[p. 89] A. Right.

MR. McCLOW: Now, at this time I'd offer Petitioner's Exhibit 1 into evidence.

HEARING OFFICER: Any objections, Mr. McCarthy?

MR. McCARTHY: No.

HEARING OFFICER: Hearing no objections, Petitioner Exhibit No. 1 is now received into evidence as Petitioner Exhibit 1.

(The document above-referred to, heretofore marked Petitioner's Exhibit No. 1 for identification, was received in evidence.)

HEARING OFFICER: Excuse me a second. Mr. McCarthy, do you want to enter your exhibits into evidence at this time, or do you want to wait for any reason?

MR. McCARTHY: No, I might as well do it now. I intended to wait, but as long as we are on the issue, yes, I would move admission of Employer Exhibit 1 and Employer Exhibit 2.

HEARING OFFICER: Okay. Any objections, Mr. McClow?

MR. McCLOW: I don't have any objections to their admission other than I certainly don't want [p. 90] the fact that these are all on one sheet to indicate any approval that they should be all one unit.

HEARING OFFICER: Okay. That's the understanding then, and it's clear that the fact that the Employer submits an exhibit listing everybody it employs, it doesn't mean that you agree that should be the whole unit, obviously.

Okay. I find that the witness has laid and established a proper foundation, and Employer Exhibits Nos. 1 and Employer Exhibit No. 2 are hereby received into evidence.

(The documents above-referred to, heretofore marked Employer's Exhibits Nos. 1 and 2 for identification, were received into evidence.)

HEARING OFFICER: I believe the Board Exhibits 1, 2 and 3 have been received into evidence, so if they are not they are hereby received into evidence. Okay.

I believe we've covered everything except the Joint Employer Exhibit, which is the diagram of the Employer's facility.

MR. McCLOW: Since it's a Joint, I expect you can just receive it into evidence.

[p. 91] MR. McCARTHY: Yes.

HEARING OFFICER: Okay. We might as well receive Joint – Employer's and Petitioner's Joint Exhibit No. 1 is also received into evidence at this time.

(The document above-referred to, heretofore marked Employer's and Petitioner's Joint Exhibit No. 1 for identification, was received in evidence.)

BY MR. McCLOW:

Q. Now, I'd like you to look at Petitioner's Exhibit No. 1 and tell me if there are any similar manuals that are given to the camera person.

A. No. Operating manual on the processors only.

Q. He's given an operating manual for – with respect to his particular camera?

A. I don't know if there's one on the camera itself, just on the processors for the camera and the plate processors in the department.

Q. So he gets a separate manual for things that are relevant to his particular job; is that right?

A. Yes.

Q. And with respect to the strippers, are they [p. 92] given any manual or – they don't have any manual at all about how to operate their job?

A. No.

Q. What about the plater, does she have a manual of any kind?

A. Just on the equipment itself.

Q. What equipment would that be?

A. The light table and the plate processor, and the Carlson bender.

Q. Those are things that –

A. It would be the same thing as the manufacturer would give us, as Harris did on this.

Q. All right. But it would have to do with the specific job that she was doing, and the specific equipment she was running; is that right?

A. The specific equipment, right.

HEARING OFFICER: Would that be akin to like an owner's manual, if you buy a TV a something?

THE WITNESS: That's basically what this is.

HEARING OFFICER: Okay.

BY MR. McCLOW:

Q. This, Petitioner's Exhibit No. 1, of course, is much more in detail.

A. It tells you how to maintenance the press and everything, yes, it goes right on through it, and [p. 93] the other manuals for the pre-press, preparatory department are similar.

Q. Okay. But they're much smaller; is that right?

A. Yes, but the equipment is smaller.

Q. Yes. Much less complicated to operate those pieces of equipment; is that right?

A. I would think.

Q. Now, the three truck drivers that are listed on Exhibit No. 1, Company Exhibit No. 1, those are over-the-road truck drivers?

A. Over-the-road in what respect? They go to Detroit and they go to Cincinnati.

Q. Out of the plant, on the road?

A. Yeah. Okay.

Q. They don't drive a truck within the confines of the building or the premises, other than to back up to the loading dock?

A. Correct.

Q. Now, with respect to the material handlers, they drive, like we said, two different kinds of fork – or two kinds of lift trucks, a forklift truck and a clamp truck; is that right?

A. Yes.

Q. Are they given any on-the-job training?

[p. 94] A. Some of them have a license. Some of them are taught on the job.

Q. So you either hire people with a forklift license or you train them on the job?

A. They're trained, right.

Q. Janitors, that's an unskilled job; is that right?

A. Correct.

Q. Now, with respect to the press mechanic, did that person have any experience before he was hired, this Richard Mossing?

A. He was a mechanic in a different type of press operation, not printing newspapers. He was a machine die – tool and die type person.

Q. You're talking about a metal press where they –

A. Right.

Q. A stamping press or something.

A. Right.

Q. And he learned his mechanical skills before he –

A. Came.

Q. – came to you?

A. Uh-huh.

Q. NTA. And he applied those skills to the [p. 95] machines that are at NTA; is that right?

A. Yes.

Q. And I assume that the printing presses are run on a variety of electrical and hydraulic systems; is that right?

A. Correct.

Q. And those systems would be perhaps similar in some ways to the –

A. To what he was using

Q. – experience he had before; is that right?

A. Right. For a period prior to my actual hiring of Richard Mossing, he worked with National Newspaper Machinery, Incorporated, and received his general overview of presses working with John Dean.

Q. He did that so that he could come to work for you?

A. No. He worked for John Dean, and then when John Dean left I hired him.

HEARING OFFICER: Who is John Dean?

THE WITNESS: John Dean is National Newspaper Machinery, Incorporated. he was the person that for – up until December of this year did our mechanical work, installation, electrical on the presses.

[p. 96] BY MR. McCLOW:

Q. Okay, let me see if I've got this straight.

John Dean was –

A. Outside contractor.

Q. – an outside contractor that worked on the presses.

A. Right. He did the –

Q. And Mr. Mossing, the press mechanic, had worked for a time with Mr. Dean when he was an outside contractor.

A. Right.

Q. And Mr. Dean, did he quit or just –

A. He left.

Q. He left?

A. Uh-huh, my employment. Our agreement, it ended.

Q. The contract you had with him terminated.

A. Right.

Q. And when that happened, Mr. Mossing was hired as an employee?

A. Right.

Q. To do the same job he'd done as an outside contractor?

A. Right.

Q. Now, going back to the composition room, or [p. 97] going to the composition room, we have a dispatch/layout person.

A. Uh-huh.

Q. And you have a typesetter/layout person. Can you just basically describe what a layout person does?

A. He – the layout typesetter, we'll start with her. I get the mechanicals on Monday night, we're on this basis,

and it's not a release mechanical, it doesn't release until Tuesday morning.

Tuesday morning comes, corrections come in. Mr. Skwiera takes them, takes come on the flat, takes them to the typesetter, she sets the type. She then inserts the corrected type into the mechanicals and then goes to the camera room.

Q. Okay. Let me try to see if I can make this so I can understand it a little better.

You get a piece of art work or something from the client, something that they want you to print for them.

A. Right.

Q. And they may have some handwritten things on it if they've got some –

A. It's basically typeset.

Q. Is it typeset before it comes to you?

[p. 98] A. Yes. Mechanicals come to me.

Q. Okay.

HEARING OFFICER: This art work is called the mechanical?

THE WITNESS: Right. Yes.

HEARING OFFICER: Okay.

BY MR. McCLOW:

Q. All right. So basically it's typeset before it gets to you; is that right?

A. Right.

Q. And if there's some corrections, that's what your typesetter does?

A. Corrects it.

Q. Okay. Now, where would this, these mechanicals be typeset? I mean before they get to you?

A. They're typeset in – Kroger Detroit typesets their own; Cincinnati typesets their own; Erb Lumber typesets their own; Great Scott is typeset at a Southfield Advertising Agency, as is Abner Wolf.

Q. Is that any connection with NTA?

A. That's my brother. It's not connected, a separate business.

Q. All right. So, in effect, what you have is, you have two people in the composition room who take all the typeset material and correct that.

[p. 99] A. Uh-huh, and page it.

Q. And page it.

A. Uh-huh.

Q. It's already laid out basically then?

A. Right.

Q. By the time it gets there. In some instances all you have to do is page it?

A. Some instances, yes.

HEARING OFFICER: What does "page it" mean?

THE WITNESS: It's various versions. If this employee handbook was good for two companies, Page 1 would have a "Page 1" on it and have a "1A."

HEARING OFFICER: Okay. In other words, you give it a designated page for each typeset –

THE WITNESS: Right. That information is also on the job ticket because these versions, these things that we print have up to 20 different versions on eight pages.

HEARING OFFICER: Okay. Thank you.

THE WITNESS: Not everything that comes to me is released when I receive it.

BY MR. McCLOW:

Q. What do you mean, "released" when you receive it?

A. Well, we do grocery work. Okay. Some [p. 100] accounts come in ready for the press – go with it, run. Other accounts want to see from the Dyluxe, from the negative Dyluxe that's made after the camera room, they want to see – actually, it's a press proof but not the printed press. We want to see what we're going to print. They okay it, we go to press with it.

Q. Sometimes you get the mechanicals in and you just go ahead and print them and then deliver them without any more customer involvement; is that right?

A. Right.

Q. Then other times a customer wants to see –

A. The majority of the time the customer wants to see before I go to press. It varies by account.

Q. But most of – do you do any business at all where the mechanicals are not typeset before they get to your plant?

A. We do minimal typesetting in our facility for outside source.

Q. Now, when you do typesetting, is that done on a computer?

A. Yes. It's a computer typesetter.

Q. And it's basically a keyboard setup?

A. Right.

Q. And if it's wording or something, they'll type up the wording, that's basically all you can do [p. 101] there, is that right, just –

A. Well, it's typesetting, and then it gets put into a computer, and the computer puts it into the processor, and you put the film into the processor and you get the printed –

Q. But mostly all you do is printed material?

A. Right.

Q. You don't do any graphics?

A. We do limited typesetting for customers. If someone wants a business card or someone wants an invitation or a typeset menu, we do limited typesetting.

Q. But no graphics?

A. Graphics meaning?

Q. Pictures?

A. Not really, no.

Q. Okay. If you do a Kroger insert, there are going to be pictures of carrots and vegetables and so forth; is that right?

A. Yes.

Q. You don't create those images?

A. No.

Q. Those are already typeset or whatever before they get there?

A. We have a master book of photographs, as they do up there. They lay in a photograph with a [p. 102] number on it, we pick the photograph out of the file and put it in. But we don't draw or we don't design it, no.

Q. I see.

[p. 103] Q Now, the people in the composition room, the person who is a typesetter, Yvonne Sargent, was she trained as a typesetter before she was hired?

A Yes.

Q And, the dispatch-layout person, was that person hired or trained?

A 16 years experience when she came to me.

Q Now, you said that the – you've got two people in maintenance who work as press mechanics, Mossing and Mulherin?

A Right.

Q They do some of their work in what's called the maintenance and rebuilding area. Is that right?

A Yes.

Q That's where they rebuild presses for insertion into your press line?

A They repair the counterveyors. They do press rebuilding. They do repair – press repair in the back. That's where the machine shop is. That's where the inventory area is.

Q That's where the tools are?

A That's where their – well, yeah, basically, their –

Q Do they have hoists in there?

A Yes.

[p. 104] Q So, in order to do some of the repair, the equipment has to be taken back there. Is that right?

A Yes, we've not taken any press units in the back out of disconfiguration since they've been put in. We've only added to this room.

Q All right, so, when you've rebuilt presses, you've added rather than replaced. Is that what you're saying?

A Well, we started with an eight unit press here. We put four on. We put four on. We put eight on, and, we put four on.

Q But, you never took any one that was defective out and put another one in?

A No, we sold a new printer that was on the end of the 12 unit line that we hadn't used in two years.

Q So, basically, what people are rebuilding with respect to rebuilding units, and butlers, or whatever, is to

bring what you purchase into the rebuilding area, rebuild it, and, then put it in the press room. Is that –

A Either in the press room or for sale.

Q So, some of the job duties of the people in the maintenance category is to rebuild press units for sale to other places. Is that right? Rather than for [p. 105] use in the shop?

A Yes. We haven't sold anything yet, though.

Q That's part of your plan?

A That's part of the plan.

Q And, you have things on sale that have been rebuilt?

A We've had offers on equipment. We haven't gone out for – to put it on the market.

Q But, you have pieces of equipment in the shop that are not being used in the production of your product that have been rebuilt?

A We have excess equipment, yes.

Q And, some of that you are intending to sell if you get the right offer?

A Everything's for sale.

Q That's the purpose of this is what I'm saying.

A The initial purpose of the rebuilding area is to rebuild equipment for us first, secondary for sale.

Q Now, you said the press operator responsible for routine maintenance and light maintenance. Is that right?

A Yes.

Q If there is something beyond his ability, [p. 106] since he's not a mechanic, then he goes and gets a mechanic. Is that right?

A Yes.

Q And, then, the mechanic comes into the press room and tries to fix it there. Is that right?

A Yes.

Q The material handlers don't load the paper in the presses. They just bring it in the press room. Is that right?

A On ocassion, [sic] they load the roll.

Q And, that's a process of putting a cylinder through the paper roll – a metal cylinder?

A Yes, sir.

Q Would that be when you were busy – when the press operator was busy?

A Yes.

Q That happens fairly infrequently. Is that right?

A I couldn't tell you. I'm not out there. I know that it happens.

Q Now, we talked about this a little bit, in the stripping department there are cabinets. Those cabinets are marked according to presses. Is that right [Illegible] Is there an indication on them?

A They're marked by folder, yes.

[p. 107] Q So, a particular pressman would come in and look in a particular place where his plates would be. Is that right?

A Yes, they're not supposed to take them out without being – they're not supposed to take something without it being issued to them. There's also a window over that cabinet that they talk through.

Q So, there's a window that they – when they want to get the –

A When they want something.

Q – the plate. The go to the window.

A Uh-huh.

Q And, say, "I need a plate." The plate is passed to them. Is that right?

A Yes.

HEARING OFFICER: Who passes it to them?

THE WITNESS: The plate maker.

HEARING OFFICER: Which is in what department, preperatory [sic]?

THE WITNESS: Preperatory, [sic] pre-press.

HEARING OFFICER: Pre-press, okay.

BY MR. MCGLOW [sic]:

Q Well, let's just get the area where the window is, then.

A This area here (indicating) that you have [p. 108] labeled "plates". It's a large black cabinet with a large

window over the top of it just about the same size. There is a telephone here also. In the beginning the telephone was on the outside. They phoned in.

Q So, in the beginning, the contact was made – in order to get the plates, they had to call into the pre-press?

A Right.

Q And, now, there is a window. They can – they go up there and say, "I want a plate."?

A I'm running folder 1B, right, give me my next run.

Q The plate maker takes it and gives it to the press-man. The pressman goes back to the press.

A Yes.

Q Inside this area –

A That's a –

Q Okay.

A That's on an initial order. Now, like, if you come in, you put those four plates on and you put two of them on backwards. You come back up and reorder the plate. The girl normally takes them out to the press.

Q Okay, we'll get to that in just a second.

[p. 109] A Okay.

Q Would the press operator – takes the plates, puts it on the press, begins the run. Is that right?

A Right.

Q And, when he begins the run, one of the first copies that comes out is supposed to be taken back –

A Yes.

Q – to the pre-press area. Is that right?

A Yes.

Q And, it's generally taken back by a jogger. Is that right?

A Yes.

Q The jogger is taking this stuff off the folder, he takes one of the first ones out so that they –

A The press is not up to speed at that time. It's the first readable copy.

Q He takes the first readable copy, hands it across the window to the plate maker, it's proofed, and, if there is something wrong with it, the people in the pre-press area say, "Stop the presses.".

A Right.

Q The pressman stops the presses, takes off the plate, takes it back to the pre-press area.

[p. 110] A Well, the plates get disposed of. They just – whatever the error was, a new plate would be generated.

Q A new plate's generated, and, either the pressman goes and pickes [sic] it up, or, the pre-press person brings it to the pressman when it's done. Is that right?

A Yes.

Q The only real contact between the pre-press area and the press room is the delivery of plates back and forth. Is that right?

A Unless there is a problem on the press, the registration is not right, something's wrong, they come in and try to work it out on the table and find out where the problem is.

Q The pressman comes in and works on the tables?

A Uh-huh.

Q Now, are you aware of any signs in the pre-press area that say something like, no press employees beyond this point?

A Yep.

Q Is that right?

A Yeah.

Q There are two signs there. Aren't there?

[p. 111] A There are signs there.

Q So, the press operators are not supposed to go into the pre-press area. Isn't that right?

A They're not supposed to, yes. It's not to say that they don't. Those signs, by the way, are on the doors leading into the front office, which is carpeted.

Q Isn't there also a sign going into the pre-press area? There's two signs. Isn't that right?

A They're both on the same door leading into the front office area.

HEARING OFFICER: And, were you aware that the signs, now – Joint Exhibit Number 1, where – okay, we're looking in the southern portion of the building. And, we're looking at where the pre-press, I think, what does that say? C –

THE WITNESS: Computer.

HEARING OFFICER: – computers are located. There's like a open space, and, they're in there. Is that where that –

THE WITNESS: The diagram is in error in that this entrance here (indicating) is enclosed to this wall. This wall (indicating), there's a double door here. (indicating) There's a double door here. (indicating) This is where the signs in question are.

[p. 112] HEARING OFFICER: Okay.

THE WITNESS: On the direction to leave.

HEARING OFFICER: Okay, you say the door, a couple of feet in from where the door is?

THE WITNESS: It's eight foot in from that door.

HEARING OFFICER: Okay, eight feet in, we're going to draw that in there.

THE WITNESS: Okay.

HEARING OFFICER: A door drawn in in [sic] ink with an arrow pointing to it from the south, that says, "door".

THE WITNESS: In this area here (indicating), in the pre-press department on this door, there is also a sign, no pressmen beyond that point.

HEARING OFFICER: And, that's right at the end of the place where it says, "computers"?

THE WITNESS: Right, this is all a tiled area through here (indicating).

HEARING OFFICER: And, that's a door into the pre-press area. Is that right?

THE WITNESS: It's the door from the composing area right into the pre-press door.

HEARING OFFICER: And, so, there are two signs, one here (indicating) –

[p. 113] THE WITNESS: Two there.

HEARING OFFICER: Two, where it says, "door".

THE WITNESS: Uh-huh.

HEARING OFFICER: And, then, one –

THE WITNESS: Up here. (indicating)

HEARING OFFICER: – at the door between – where it says, "computers", going into the pre-press area from west to east. Is that right?

THE WITNESS: Yes.

BY MR. MCGLOW [sic]:

Q In other words, it's clear that pressmen, based on the signs, are not to enter the pre-press or preperatory [sic] area?

A They're not to enter the front office area.

Q The front office area at all?

A That's right.

Q Period, from any direction, any way, right?

A Uh-huh.

Q Okay.

A They're full of ink. I do the carpets once a month.

HEARING OFFICER: Oh, I see. Is that the rational [sic] behind the reason, because of the inkyness of their job?

THE WITNESS: That's right, the condition of [p. 114] their job.

BY. MR. MCGLOW [sic]:

Q Okay, and, that's something that's unique to the pressmen. They're the only ones that get the ink all over them. Isn't that right?

A The material handlers get dirty too, but, mostly, the pressmen are exposed to it, yes.

Q And, the people in the pre-press are not exposed to ink?

A Other than what the pressmen bring to them.

Q So, the pressmen, basically, are supposed to confine themselves to the plate window, or – is that right?

A Yes, unless there is a problem.

Q Unless there is a problem, now, the pressmen wear a uniform. Is that right?

A Yes, uniforms and boots.

Q And, the pre-press people –

A Civilian clothes.

Q Civilian clothes, is that right?

A Yes.

Q At one point in time, the pre-press people had separate locker rooms inside the pre-press area. Is that right?

A The pre-press lockers are still, to date, [p. 115] right here along this wall. (indicating)

Q Okay, so that's between on the south side of where the indication of door is back towards the hallway there. (indicating)

A No, there is a wall here (indicating), and, there is, you know – this is sealed at this point. (indicating) There is a double door here, a double door here. (indicating) This is sealed. There is lockers in this area.

Q Why don't you draw where it's sealed then?

A Okay.

Q The locker is on the south side of the –

A South side of the pre-press department.

Q Okay.

A Southwest corner.

HEARING OFFICER: Preperatory [sic] employees have their lockers located in their area, work area, right?

THE WITNESS: Yes.

HEARING OFFICER: Do the press room employees have their lockers in any main area? They are located in the locker room?

THE WITNESS: Uh-huh.

BY MR. MCGLOW [sic]:

Q Now, all employees, other than the office [p. 116] employees, and the composition employees, and the pre-press employees, they have locker rooms in the main locker room. Is that right?

A Shipping and receiving, right, the material handlers.

HEARING OFFICER: What about the pallet makers?

THE WITNESS: Pallet maker.

HEARING OFFICER: He's out there, too?

THE WITNESS: He's out there, too.

BY MR. MCGLOW [sic]:

Q Now, the truck drivers have different uniforms then –

A The shirt's the only difference.

Q They have different color shirts than the press room people. Is that right?

A Right. You asked earlier if the pre-press people have an ocassion [sic] to go outside of their area. The plates for the pre-press department are stored in a corner by the employee door.

As I say, this diagram is good for the purpose of discussions.

Q I understand.

A Okay, there is a corner at this door where the pre-press plates are stored, because they're so [p. 117] large and so heavy.

Q So, they go out –

A They go out to this area. (indicating)

Q They go out to the area which is right by the employee entrance?

A Right by their door, the other supplies are stored in the back – in the far northeast corner of the building.

HEARING OFFICER: You are pointing right now, for the reader of this record, on Joint Exhibit 1, he's pointing to the maintenance rebuilding room, the wall located in the northeast corner.

THE WITNESS: Right in this corner, is where the inventory room has been placed. It used to be here (indicating), future pre-press. It was moved out here because of this.

BY MR. MCGLOW [sic]:

Q Because of – you're putting a scanner in the future pre-press. Is that right?

A It's been out there a good six months now.

Q And, the shipping and receiving people would put the supplies there and retrieve the supplies. Is that right?

A I have an inventory person who takes care of that.

[p. 118] Q And, that is who?

A That's Bob Mulherin, the secondary mechanic.

Q all right, so, Bob Mulherin, who you've got listed in the maintenance department, he is responsible for taking supplies –

A Keeping track.

Q – keeping track of the supplies, and storing supplies, and bringing them out when they're necessary?

A On ocassion [sic] – well, he delivers the plates because of the size, but, other than that, he – pre-press generally requisitions it, and, Chris would take care of getting the supplies in the morning. Chris Callaghan, which is in the pre-press department, he usually get's his own.

Q He would go back to the maintenance in the rebuilding area?

A Back to the area, right, and brings the supplies out.

Q Now, you said, I think, that the office employees didn't sit in the cafeteria, but, they'd go in and get their pop, or coffee, or whatever. Is that right?

A Yes.

[p. 119] Q Does that aiso apply to the pre-press people?

A No, pre-press people eat out their on ocassion. [sic]

Q On ocassion [sic] they eat out there?

A There's also a picnic table out front of the building for the summer that they all eat from. It's a general area, a common area.

HEARING OFFICER: The front of your building is the southern portion, right, that's the –

THE WITNESS: Yes.

HEARING OFFICER: Okay.

BY. MR. MCGLOW [sic]:

Q Now, you testified about the employee handbook which is Company Exhibit Number 2. Is that right, or Employer Exhibit Number 2?

A Yes.

Q And, you indicated that each employee was given a copy of it? Is that right?

A Yes, that handbook was issued 5-29-87.

Q I'm going to get into that. As a matter of fact, that was my next question.

When was this employee handbook distributed?

A It was issued 5-29-87.

[p. 120] Q And, you say it describes the rules governing the employees in the various departments that we're dealing with today?

A Yes.

Q Did it change – did this handbook change any of the rules that had been in effect prior to May 29th?

A No, it just put it in black and white.

Q It sort of codified the rules that were in existence?

A Yes.

Q Where there any prior documents, similar documents to this booklet that NTA had before May 29th?

A No.

Q How long had this particular booklet been in preparation?

A Over seven months.

Q And, who was responsible for preparing it?

A Myself, my father, out [sic] legal attorney.

Q And, what you were trying to do is just put into writing what had been the unwritten rules of the company. Is that what you're saying?

A Yes, in black and white as to what the employees had repeatedly been asking.

Q The employees had asked for something like [p. 121] this, and, you decided to put it in writing?

A Yes.

Q Have you got a copy of this in front of you?

A Yes, I do.

Q Did you have this printed in your plant?

A No, I didn't.

Q I was going to say, somebody left out the page numbers on it.

A It wasn't intended to have page numbers.

Q It makes it a little bit more difficult here, but, we'll try to get through this.

A Okay.

Q On the page that has the disclaimer on it.

A Okay, the second page.

Q It's got the disclaimer on the left hand side, and, then, on the bottom of the right hand side, it says, "Your supervisor".

A Uh-huh.

Q Now, you have supervisors for the different departments?

A We have people in control.

Q And, you call those people group leaders on this Exhibit Number 1?

A Yes.

[p. 122] Q Now, in this particular paragraph, it says about the supervisor, that, and this is a quote, "He has responsibility and the authority to make important day to day decisions in the department of his jurisdiction".

A Uh-huh.

Q Now, are you talking about the group leaders when you're talking in that particular sentence?

A Yeah.

Q And so, in this booklet, you call those group leaders supervisors. Is that right?

A Yes.

Q So, we have, in other words then, a group leader or supervisor over shipping and receiving. Is that right?

A Randy Perdue.

Q Yes, and, we have the same type of a person, group leader or supervisor, in the pre-press area. Is that right?

A Yes, Beryl.

Q Beryl Grisier?

A Yes.

Q Does Beryl also supervise the composition room?

[p. 123] A No.

Q Do you have a supervisor or group leader there?

A No, it acts on my direction.

Q So, you're the supervisor of that?

A Uh-huh.

Q In the maintenance department, does Mr. Mossing work pretty much by himself with Mr. Mulherin?

A They act on my direction.

Q So, you're the supervisor of the press mechanics. Is that right?

A Yes, they turn in daily sheets.

Q I see, so, you know when a new unit comes in, because you brobably [sic] buy it, right?

A Uh-huh.

Q Then, you give it to them, and, you want to know what's going on?

A Right.

Q Who do the janitors report to?

A Mr. Skwiera or myself.

Q Now, Mr. Griener, who does he report to?

A He works with the – he works by himself.

Q So, he's just making pallets until somebody tells him to stop. Is that right?

A That's right, he does about 90 a day.

[p. 124] MR. MCGLOW [sic]: Would anybody mind if I took about a 15 or 20 minute break at this time?

HEARING OFFICER: Any objections, Mr. McCarthy?

MR. MCGLOW [sic]: I've got to get something in my stomach.

HEARING OFFICER: Hearing no objections, we'll go off the record.

(A short recess was taken.)

HEARING OFFICER: Back on the record.

Mr. McGlow [sic], you may proceed.

BY MR. MCGLOW [sic]:

Q I'd like you to continue looking at the handbook, which is Employer's Exhibit Number 2, on the next page

after the one we were looking at before, at the bottom left hand corner there, the hours of work.

A Uh-huh.

Q It says in there, I'm going to paraphrase it and I'll ask you if you agree with me, that NTA operates on a wide range of various schedules, because of the varied duties of the departments within NTA. Is that right?

A Yes.

Q And, it says each department sets it's [sic] hours as needed to meet work and deadline requirements. [p. 125] Is that right?

A Yes.

Q It also says here that a supervisor will keep you advised as to what hours you will work. Is that right?

A Yes.

Q Now, with respect to the, what we've been calling the pre-press area, is the supervisor that you're referring to in the handbook, Mr. Grisier, Beryl Grisier –

MR. MCCARTHY: I'll object to that question. I think, actually, it was at the outset it was the Petitioner that took the position that supervisory responsibilities, in particular persons, were not an issue here today. I assume that it was not an issue in my line of questioning, and, I think it would be inappropriate, and, it's irrelevant to this proceeding at least as the issues were cast by the Petitioner.

MR. MCGLOW [sic]: Well, I fully disagree, that the reason I'm asking these questions is because one of

the factors involved is separate supervision of separate duties, separate schedules. Those are the factors that the Board looks at. And, to that extent, I'm going to go into it on this cross examination.

I'm certainly not making this record for a [p. 126] challenge later on. We'll make that record later.

MR. MCCARTHY: Well, I think if the question is separate schedules, or whatever, we can ask about schedules. I don't know the need to talk about whether the supervisor sets the schedule or not. That goes to a supervisory issue, not the unit issue.

MR. MCGLOW [sic]: Okay, well, I'll ask some questions, then. You can rule on the objection if you want to.

HEARING OFFICER: Is it your position that Mr. Grisier is a supervisor as defined in the act?

MR. MCGLOW [sic]: No, my position is whether Mr. Grisier is the person referred to in the sentence, "Your supervisor will keep you advised as to what hours you will work.".

HEARING OFFICER: Okay, because, I mean, if the Parties want to raise a supervisory issue, we can resolve that here at a hearing, too. But, if a –

MR. MCGLOW [sic]: Well, like I said before, that issue doesn't need to be decided here, if in fact, certain units are not included – certain departments are not included in the unit.

HEARING OFFICER: Uh-huh.

MR. MCGLOW [sic]: I'm just going into the scheduling area that was brought out on direct examination about the [p. 127] various schedules in the various departments. I'm going to go into that area. That's what I'm doing now.

HEARING OFFICER: Okay.

MR. MCGLOW [sic]: I have to talk about supervisors tangentally [sic]. That's all, or group leaders, or whatever we want to call them. I'll call them group leaders for the purposes of the proceeding. It doesn't matter to me, but, the handbook talks about supervisors. And, I want to find out who sets the schedules for whom and where they're posted; if they're posted in the same area of the plant, different areas of the plant, and so forth.

HEARING OFFICER: Okay.

MR. MCGLOW [sic]: We're dealing with location. We're dealing with contact. We're dealing with all sorts of issues.

HEARING OFFICER: Keeping that in mind, okay, I'll overrule the objection, and let – permit you to persue [sic].

MR. MCGLOW [sic]: All right, I'll ask the question in a different way.

BY MR. MCGLOW [sic]:

Q Is there a separate schedule that's posted in the pre-press area for pre-press employees?

A Yes.

Q And, is that prepared by a person who works in [p. 128] the pre-press area?

A It's prepared by him and reviewed by me.

Q Okay, prepared by Mr. Grisier and reviewed by you? Is that right?

A Yes.

Q And, is that changed on a week to week basis?

A Yes, it is.

Q And, every week is posted. Is that right?

A Yes, it is.

Q And, that's the way it's been for a long time?

A Yes, it is.

Q Who sets the hours for the composition employees?

A She sets her own based on –

Q When you talk about, she, you're talking about?

A Caroline.

Q Caroline Hickman.

A Based on my telling her when the work will be here.

Q And, is that set on a week to week basis?

A Every week varies.

Q Now, who establishes the schedules for the press room?

A Mr. Skwiera and myself.

Q And, basically, you testified, I think, that you were running two shifts at the present time.

[p. 129] A At the present time, yes.

Q And, I think you said you were running one eight hour shift at the beginning of the week and then three 12 hour shifts?

A Right.

Q For the next three days.

A Right.

Q To make 44 hours.

A Uh-huh.

Q Is that right?

A Yes.

Q And, then, you schedule overtime as necessary, if there is any type of overtime necessary?

A Right.

Q And, if there is not overtime necessary, people don't work 44 hours?

A Right.

Q Now, prior to May 29th, you had a different schedule for the prep room employees. Isn't that right?

A Yes.

Q You were running three shifts. Is that right?

A Yes.

Q And, those shifts were how many hours a day?

A Eight.

Q Eight hours a day, five days a week?

[p. 130] A Depending if there was work, normally, four.

Q Okay, it would be four hours –

A Four days a week.

Q – four days a week. And, if there was work, there would be –

A A fifth day.

Q – a fifth day. So, generally, you were running between 32 and 40 hours?

A Yes.

Q Now, that depended on the –

A Work flow.

Q – the work flow. Is that right?

A Yes.

Q Those eight hour schedules were consistent, though, day to day. Isn't that right?

A Yes.

Q Everybody came in at a certain time.

A Right, the only thing that fluctuated is if you worked a Monday, or if you worked a Friday instead,

depending on what came in over the weekend. If we were press-ready Sunday night, you went to work Sunday night. If we weren't press-ready until Monday midnight, you didn't go to work until Monday midnight.

Q All right, but, the first shift, or the day shift, would work, basically, 8:00 to 4:30. Is that right?

[p. 131] A Yes.

Q And, the afternoon shift would work 4:00 to 12:30. Is that right?

A Yes.

Q And, the third shift would work 12:00 to 8:30. Is that right?

A Yes.

Q And, that was a constant. The only thing that changed was whether they worked the fifth day? Is that right?

A Right.

Q As a general rule?

A As a general rule.

Q Now, the reason you went from a three shift operation to a two shift operation was because, in early June, 16 press employees were teminated [sic]. Is that right?

A 16 people quit, yes.

HEARING OFFICER: The 16 people being referred to are at issue in the unfair labor practice. The

reader of the record can characterize it as quit and/or terminated. It's – I don't want to get into –

MR. MCGLOW [sic]: Don't worry, we're not going to get into it.

HEARING OFFICER: Okay, I don't want to get into ULP motivation. I want to skirt that issue.

[p. 132] BY MR. MCGLOW [sic]:

Q Who sets the schedule for the pallet maker?

A Scott.

Q Scott Shaffer?

A Yes.

Q Well, doesn't the pallet maker work five days a week?

A Yes.

Q Doesn't he have a set schedule that's always the same?

A Pretty much, if he's needed out in the press room instead of the pallets, that's where he works.

HEARING OFFICER: The pallet maker, Paul Griener, is he part of the maintenance department, or, is he part of the press room department?

THE WITNESS: No, he's part of the maintenance department.

HEARING OFFICER: He's part of the maintenance department, but, he reports to Scott Shaffer as his supervisor?

THE WITNESS: Yes.

HEARING OFFICER: Okay.

BY MR. MCGLOW [sic]:

Q Now, Scott Shaffer is the press room supervisor?

A Yes.

[p. 133] Q And, he, as the press room supervisor, notes how many pallets are needed, right?

A Right.

Q And, Mr. Griener, basically, works on his own building pallets. But, he comes in on eight hour shifts. Is that right?

A Right.

Q They're day shifts. Is that right?

A Yes.

Q Mr. Mossing and Mr. Mulherin, do they work day shift?

A Yes.

Q And, you have a janitor, basically, available around the clock?

A Yes.

Q I'd like to turn in the handbook to disciplinary procedures.

A Okay.

Q And, it's the next page on the bottom of that, the last paragraph of the disciplinary procedures, just before the smoking section, okay?

A Okay.

Q Got that?

A Yes.

Q The employees in the various departments have [p. 134] designated areas where they work. Is that right?

A Right.

Q And, it's a according to this booklet, it's a prohibited for employees to be out of their designated work area without sufficient cause. Is that right?

A Uh-huh.

Q And, also, it's prohibited, for any employee other than press room personnel to be around the presses. Is that right?

A Yes.

Q And, later, on the same page, production areas, it indicates the various areas for the various departments. Is that right?

A Yes.

Q And, the typesetting department, is that what you call the composition room?

A Yes.

Q Now, art department, is that also the composition?

A Yes.

Q And, the shipping and receiving department is the area where the paper is stored and where the finished product is stored, basically?

A Yes, shipping and receiving, basically, because of the context of the people in there, they have facility to [p. 135] go all over the plant.

Q Well, but, the area where they stay and, they either get the supplies to take them into the various other departments.

A They spend a lot of time in the press room.

Q They spend – the time they spend in the press room is delivering paper –

A Or taking product out.

Q – or taking product out. The press – the shipping and receiving people do not work on the presses, do they?

A No, they don't.

Q They are absolutely necessary for the press room, because without paper, the presses 'cannot run. Isn't that right?

A Correct.

Q And, if they didn't take out the finished product, the presses couldn't run, could they?

A Correct.

(Transcript continued on next page.)

[p. 136] BY MR. MCGLOW [sic]:

Q And, in that same paragraph under production – production areas, it says there, "you are to stay in your department, no one from any department other than Department 000 is to go around the presses – ever!", is that right?

A Yeah.

Q In Department 000 of course is the lighting department, is that right?

A Right.

Q Now, turn to the next page, and under shipping and receiving, do you see that?

A Uh-huh.

Q Now, it says there, that any person hired, the driver will be given a specific set of rules and regulations that apply only to drivers. Then it says, "They will be expected to follow these rules as well as those set out in handbook – this handbook", do the drivers have a specific set of rules and regulations?

A Just the ones issued by the Highway Department.

Q Do you have copies of those that you give to drivers?

A I believe they're in the shipping department, yes.

Q You give any specific rules or regulations to the forklift and plant drivers?

A No, just the safety regulations.

[p. 137] Q And, are they separate from this book, or are they –

A No, they're in the book.

Q All right. And, look at the next column there is some – there are some safety regulations that appear to apply to the forklift –

A Uh-huh,

Q – and plant drivers, is that right?

A Yeah.

Q And, it says, "only authorized persons will operate the forklift (tow motor) and clamp.", is that right?

A Yes.

Q And, the authorized persons are the people that are designated material handlers?

A Yes.

Q On Exhibit No. 1, is that right?

A Yes.

Q And, then on the next page, now on the right hand page, it says, under safety, it says, press and press room, and then there is about that whole column, and then the next page are the safety rules and regulations applicable to the press room, is that right?

A Yes.

Q Can you tell me what a counterveyor person is, you mentioned something about that earlier?

A That's a person that – that's the driver. [p. 138] Counterveyor person.

Q That's the driver?

A Yes.

Q Okay.

A Counterveyor is a machine.

Q And, that's item No. 10, it says, pressman and counterveyor people, then it says "Are the only people allowed past yellow line painted on floor, this area is off limits to personnel from other departments, and to outside visitors.", is that right?

A Yes.

Q Now, go back a couple of pages to the same page where the safety for the pressroom is on the other page, the left hand page.

A Okay.

Q Up at the top it says, "Employees are not allowed out of there [sic] designated work area without proper cause or authorization", is that right?

A Yes.

Q Basically, the – the pressroom has a – a separate set of safety regulations in addition to those that apply to all the departments, is that right?

A Yes.

Q And, that's partly because the presses are somewhat dangerous when they're running, is that right?

[p. 139] A Obviously, yes.

Q And, they're hughe [sic] pieces of equipment that are fairly –

A They're complex –

Q – intricate and complicated and you don't want somebody to screw them up, isn't that right?

A Yes.

Q And, they take a lot of training to learn how to run these things?

A Yes.

Q And, somebody that doesn't know how to run it could do some damage, is that right?

A Quickly, yes.

Q Can you just tell me approximately what a four unit – a four color press is worth or would cost?

A Four unit in the folder?

Q Yes.

A Oh, depending on the condition, anywhere from 35 to a 100 and a quarter.

Q 35,000 to –

A 125,000

Q – 125,000?

A Right.

Q There are no pieces of equipment in NTA that – other than the presses that cost anywhere near that amount of [p. 140] money, are there?

A Scanning – scanning machine.

Q How much does a scanning machine cost?

A $325,000.

Q Okay. And, that's what your putting in, is that right?

A Uh-huh.

Q You haven't gotten that in yet?

HEARING OFFICER: Where will the scanning machine be placed?

THE WITNESS: In this future prepress room, we bought it a year ago. Its [sic] been on the floor –

HEARING OFFICER: Okay, so, that would be – this scanning machine would be used by preparatory people?

THE WITNESS: Yes.

HEARING OFFICER: Okay.

BY MR. MCGLOW [sic]:

Q They would be people who have trained to run that particular machine, is that right?

A Yes, they will.

Q And, will they need special training for that?

A Yes, they will.

Q Other than the scanner that you've – there [sic] putting in there, is there any other pieces of equipment that cost as much a single four unit press?

[p. 141] A Well, you got the tow motors that go out at $12,000, you got semitractors that go out at $25,000 to $30,000, I mean, I – you have the computer system in the front of the building that's worth a $115,000.

Q Okay. That's not a mechanical piece of equipment, that's a electronic piece of equipment, is that right?

A Okay, yes.

Q Now, looking at Exhibit No. – or Employer's Exhibit No. 1, that list obviously does not include the 16 employees who – whose employment has been terminated, and – early June, is that right?

A No, it doesn't, nor does it reflect that the departments these people – these departments list had been changed into the pressroom, the majority of them.

Q The – I'm sorry, I didn't understand what you just said.

A Most of these people that are in these departments have changed, functions into the pressroom due to the lack of people.

Q All right. What you're saying is that since the first of June, some people in other departments –

A Are now in the pressroom.

Q – have been working in the pressroom because of the loss of the 16 employees, that right?

A Yes.

[p. 142] Q Due to the – that the – necessity of the situation?

A Yeah.

Q And, do the people like – oh, let me talk about Mr. Long on the exhibit – on Exhibit No. 1. Isn't he the person who drives a car or a van to make small deliveries?

A Right. The times he's not driving; he's either making pallets or cutting and trimming, or working in the pressroom.

Q When he works in the pressroom he does the unskilled jogger work?

A Unskilled jogger, right.

Q He does that more now than he did before –

A He spends about 16 hours a week in the pressroom on a base 40.

Q That's now, right?

A That's then to [sic].

Q And, that would be when some jogger didn't show up?

A Uh-huh.

Q The time that anybody – prior to June 1, 19 of this year, the only time that somebody would – from another department would work in the pressroom as a jogger, would be when somebody didn't show – when a scheduled person didn't show up, or somebody's on vacation?

A Yes, right.

[p. 143] Q And, since jogging is unskilled job, anybody can do that –

A Generally.

Q – for eight hours, or so?

A Right.

Q To fill in, that right?

A Right.

Q With respect to pay rates, you said maintenance the pay rate was $4.50 to $10.00, is that right?

A Yes.

Q You know who gets $4.50?

A Be the gentleman mopping the floor.

Q The janitors make $4.50?

A And, up.

Q Well, what's the most a janitor makes?

A I think I have one that – $5.75.

Q Is that with a shift premium?

A No.

Q Do janitors get shift premiums?

A Yes, they do.

Q Is that the person who makes $5.75 the person who's been there the longest?

A Yes.

Q The – Mr. Mossing, how much does he make?

A $10.00.

[p. 144] Q And, Mr. Mulherin, how much does he make?

A I believe he's at 6.

Q Mr. Mossing gets paid more because of his experience and expertise?

A Yes.

Q And, Mr. Mulherin, because he's not as experienced?

A Mr. Mulherin worked under John Dean for about two months.

Q Oh, Mr. Mulherin came from Mr. Dean also?

A Yes.

Q In other words, he came from the National Machinery Company?

A Yes.

Q Or National –

A National Newspaper Machinery.

Q So, basically what happened, with respect to your press mechanics, is that you got both of them from the independent contractor, who used to service the machine, is that right?

A Uh-huh, yes.

Q And, the pallet maker you said makes $6.50 an hour?

A I believe so, yeah.

Q In shipping and receiving, which of the employees makes $4.90 an hour?

A I don't know those individuals by rate. I –

[p. 145] Q Okay. Well, let's talk about the material handlers then, what is the rate for the material handlers, what's the range?

A $4.90 to $6 bucks, $6.50.

Q Okay, let's talk about the drivers?

A Drivers are $5.50 to $6.25.

Q All right, let's talk about Mr. Long, what does he make?

A Cecil's – I don't remember if he's at $4.50 or if he's at $4.90.

Q Okay, what about Mr. Perdue?

A Randy's just under $9.00.

Q He's the highest paid person?

A Yes.

Q In that department?

A Right.

Q Okay. In composition you said the range was from $6.00 to $7.50, who makes the $6.00?

A Yvonne.

Q Yvonne Sargent makes $6.00?

A $6.05, yes.

Q And, Miss – Miss Hickman, how much does she make?

A $7.50.

Q All right, in the prepress, how much does Mr. – how much does Mr. Grisser [sic] make?

[p. 146] A $7.70.

Q $7.70?

A Uh-huh.

Q How much does Mr. Smothers make?

A $8.75.

Q Mr. Carter?

A $9.25.

Q Chris Callahan?

A $8.00.

Q Pat Mossing?

A $9.50.

Q Dorsey Doyle?

A She's in the front, out of range.

Q And, a Paul Mullins?

A $7.50.

Q And, Dan Etue?

A $8.25.

Q Now, is this based upon – or – is the differences in these figures based upon there [sic] experience and the time with the company?

A There [sic] background and there [sic] experience. Most of these people been with me three years.

Q Now, is there any difference in the rate of pay between a camera person, and a stripper? I mean in the terms of skill level and –

[p. 147] A No.

Q – and rate of pay?

A No, well –

Q You would pay –

A – Beryl is at $7.50 and you have a parttime camera man at $8 – $8.25, so –

Q A person with similar experience, you would pay similar amounts of money?

A Uh-huh.

Q Well – whether he's a camera man or a stripper, is that right?

A Right.

Q All right, let's go to the pressroom. You said it went from $3.85 to $9.00, is that right?

A Uh-huh.

Q How much does Mr. Hollis Shaffer make?

A Hollis is at $9.50.

HEARING OFFICER: Mr. Shaffer – Hollis Shaffer, okay, I'm sorry. I thought it was Scott Shaffer. Scott Shaffer has been stipulated by the parties in Board Exhibit 2, to be a supervisor, not eligible to vote.

MR. MCGLOW [sic]: That's why I skipped –

HEARING OFFICER: Okay. Thanks a lot, I – I was –

BY MR. MCGLOW [sic]:

Q Mr. John Jackson, you know how much he makes?

[p. 148] A I think he's in the $7.00 range. The next two are $3.85.

A Okay. Let me talk a minute about Mr. Jackson. Did Mr. Jackson do quality control work?

A Yes.

Q And, wasn't that what he was doing before June 1, of this year?

A Yes, he was also helping on the press before June 1.

Q But, his main job is quality control?

A Right.

Q And, he's spent a lot of his time in the –

A Pressroom.

Q – in the pressroom, in the press office as well, is that right?

A More time in the pressroom than in the office.

Q But, he was one of the two people that could use the office on a regular basis?

A Oh, yeah, all the pressmen could use the office.

Q But, they couldn't stay there when the presses were running, could they?

A Not really.

Q But, Mr. Jackson kept his records on quality control in the office, is that right?

A No, it was just outside the office, his area of working is – there's tables set up at the end of 3A, 3B, in [p. 149] main pressroom. There's a viewing booth, and that's where all the store copies, office copies, samples were put.

Q Who did the quality control at this point?

A Mr. Skwiera.

Q Did he do that before to [sic]?

A Yes.

Q And, is Mr. Jackson making the same as a quality control person?

A Yes.

Q Mr. Clark and Mr. Davis you say at $3.85?

A Yes, the next three, I believe, are at $3.85 also

Q Mr. Kollman, Mr. Jones, and Mr. Roberts are at $3.85?

A Right.

Q Mr. Miller?

A He's at $4.15, maybe $4.40.

Q Now, are you including fifth shift or –

A Yeah.

Q So, the $4.40 would be $4.15 plus the shift?

A Yes.

HEARING OFFICER: What is the shift differential, what's the –

THE WITNESS: Midnight is 25 cents, afternoons is 15 cents.

HEARING OFFICER: Okay.

[p. 150] BY MR. MCGLOW [sic]:

Q Mr. Rogers?

A I believe he was at $4.00.

Q Does he jog as well?

A Yes.

Q Mr. Boursaw?

A I believe he's at $4.15.

Q Mr. Dixon?

A $8.00.

Q Mr. Wilhelm?

A Maybe $5.50.

Q Do you put – have Mr. Dixon's [sic] as a parttime pressman, is that because he's got –

A Another job.

Q – another job?

A He works two nights a week.

Q And, was he a trained pressman when you hired him, is that right?

A Yes. He is a pressman now with another plant. He works for a sheet fed pressman. Prior to that he was a web pressman.

Q He running your web press parttime?

A Uh-huh.

HEARING OFFICER: That's web or wet?

THE WITNESS: Web. W-e-b.

HEARING OFFICER: So, they – when you got the rollers of paper, that's web pressing?

THE WITNESS: Yes.

HEARING OFFICER: And, sheet pressing is you get sheets of paper. Okay, I though it was wet, I'm sorry.

THE WITNESS: Nothing wet about it except it –

HEARING OFFICER: Yeah, I was wondering why, I thought you said wet pressing, it would be well, must mean something maybe historically, so that's why I asked.

Okay. I'm sorry I interrupted.

BY MR. MCGLOW [sic]:

Q Mr. Ruckreigle?

A I think he's around $6.80, maybe $7.00.

Q How long has he been with you?

A Going on three years.

Q So, was he a pressman before he came?

A He came with experience, yes.

Q Mr. Rogers?

A Maybe $5.00 within a quarter.

Q Mr. Nagel?

A About $7.00 and a quarter.

Q Mr. Michael Mossing?

A About $7.20.

Q Mr. Danford?

A $7.20.

[p. 152] Q Mr. Cortez?

A $5.50 maybe.

Q And, Mr. Brewer?

A $7.20.

Q I think you said under Direct Examination, that the pay day provisions of the handbook applied to all departments, is that right?

A Uh-huh.

Q It says in the – in the handbook, at that point and time that shift supervisors will distribute the checks on the respective shifts, is that's [sic] how it's done?

A Scott hands out his, Mr. Skwiera usually hands out morning shifts for midnights and day side.

Q And, what about – who hands out shipping and receiving checks?

A Mr. Skwiera would be doing that, maybe Randy does, I'd have to check.

Q Now, how about the – who hands out the pre-press checks?

A I believe Beryl hands them out. Mr. Skwiera might do that also, I'm not sure.

Q And, Mr. Scott here, hands out the checks to the pressroom?

A Uh-huh.

MR. MCGLOW [sic]: Let me just take a couple of minutes [p. 153] rather than stay on the record here, to review my notes.

HEARING OFFICER: Okay. Off the record.

(A short recess was taken.)

HEARING OFFICER: On the record.

MR. MCGLOW [sic]: Oh, I'm sorry, I have no further questions.

HEARING OFFICER: Okay. Mr. McCarthy do you have further questions you would like to persue [sic]?

MR. MCCARTHY: Yeah, a few.

REDIRECT EXAMINATION

BY MR. MCCARTHY:

Q David, I think you were asked to Cross in – and I want to make sure I'm clear on this. Referring to the pressroom, Ron Nagel, is he a trainee, or a pressman?

A Ron Nagel is a trainee.

Q Is a trainee, okay. So, then my account, in the pressroom you have eight trainees?

A Right.

MR. MCGLOW [sic]: I'm sorry, how many was that?

THE WITNESS: Eight.

BY MR. MCCARTHY:

Q Then, we have three pressman including Hollis Shaffer, and excluding Scott Shaffer?

A Including Hollis, one – I'm sorry, what was the number?

[p. 154] Q Three, is that what you come up with?

A One, two –

MR. MCGLOW [sic]: Does that include one parttimer?

THE WITNESS: Are you including parttime?

BY MR. MCCARTHY:

Q I didn't have the parttime included.

A Okay.

Q I got Hollis Shaffer, as one – yeah, I guess you're right, yeah. Three including the parttime?

A Right.

Q The eight trainees, would it or would it not be correct to say that they are basically learning on the job how to become pressmen?

A Yes, they are.

Q Now, in your other areas is it or is it not also accurate to say that your material handlers are learning on the job, so to speak?

A Yes, they are.

Q And, in your maintenance area, is it or is it not fair to say that the mechanics are learning on the job as they go?

A Yes.

Q And, would the same also be true of your people in the composition area, your strippers and platers? Or I'm sorry, the people in your prepress area, your strippers and [p. 155] platers? They're learning on the job too?

A They have a lot of experience behind them, but they always – yes, they're learning.

Q Now, I believe your testimony was that the jogger position, that's an unskilled job?

A That's unskilled, yes.

Q Now, you testified on Cross Examination, about what the jogger does, and that he then stacks – stacks the product and the papers. Once they're stacked what happens with then them?

A He put the label onto the pallet, and then the material handlers would come and take it away. And he'd make ready for the next pallet to – to start stacking it.

Q When the material handlers come to take the pallet, where is the pallet located – located in relation to the presses?

A Right next to it, right off the end of the counterveyor, as far as the finished product. The empty pallets are in the middle of the folders – out – outside of the press.

Q You mentioned something on Cross Examination about the pressman would occasionally enter the front office, if there's a problem. Could you describe the circumstances under which a pressman would enter the front office?

A The front office, or the prepress area?

[p. 156] Q I'm sorry, the prepress area?

A The pressman that come into the – prepress area if there was a registration problem or they weren't making it fit on the press. They didn't come in on a frequent basis, but they were up front when there was problems that they couldn't solve on the press.

Q Okay. And, when they came into the prepress area, what did they do, once they got there to correct these problems?

A Worked with the strippers, that did the job per se. They'd put it back on the light tables and found out where the registration and such was.

If it was an internal problem from stripping or a mechanical problem out in the pressroom.

Q There's testimony about signs that pressmen should not enter the front office, are there any signs posted anywhere that say, prepress or composition employees are prohibited from going into the pressroom?

A No.

Q Do they go in there from time to time?

A Yes.

Q You testified that the precise weekly work schedule of the composition department depended on business, generally, when you got the business in and when it was ready to go?

A Correct.

[p. 157] Q Fair characterization of what you said?

A All the departments are based on when it comes, and when it goes.

Q Okay. And, you testified about the former – the pressman scheduled to June – June 1, '87, and you said it was it four or five days a week, eight hours a day. Would the scheduling of the fifth day depend on business –

A On workload.

Q – is that –

A Yes.

Q Okay.

A Sometimes they came in for mechanical make ready, you know, get the presses ready for the midnight crew, if it was a Monday, or Friday, they'd clean up the building. Just to cover up there [sic] 36 hours, in that area.

Q The employee handbook, the safety section dealing with press or pressroom.

A Okay.

Q You were asked some questions about No. 10?

A Yes.

Q There's a reference to a yellow line painted on the floor, where's the yellow line?

A There aren't – there are no yellow lines in the building, as of yet.

Q Okay. On the next page there are rules [p. 158] on – safety rules on battery charger and charging area?

A Yes.

Q Where are these batteries?

A They are – they're in the center of the second pressroom off the end of the presses, there's a machine box out there that – we had a battery operated fork truck, or hand truck that used to carry pallets around, its [sic]

since been retired, and we don't use the charger any more.

Q So, when you did use the charger, that was to charge up the forklifts?

A Charge up the hand-battery operated fork truck, yes.

Q Okay. And, who operates the battery operated fork truck?

A The material –

MR. MCGLOW [sic]: I'm sorry, I thought it was – I thought it was gone?

BY MR. MCCARTHY:

Q Well, who did, at the time there was a battery operated –

A The material handlers. It was in the pressroom, for to pull pallets in and out.

Q You testified about shift premiums, and you gave us the amounts. Using the term employees to include all the employees under consideration today, meaning all your [p. 159] employees, except office – or management and office folks, do they all receive a shift premium?

A Yes.

MR. MCCARTHY: Nothing further.

HEARING OFFICER: Mr. McGlow [sic]?

RECROSS EXAMINATION

BY MR. MCGLOW [sic]:

Q Well, on the battery operated lift truck, that was a hand held machine?

A Yes, that was a walk behind unit.

Q And, that was operated by the material handlers?

A Yes, and people in the pressroom.

Q People in the pressroom might –

A Just to pull there [sic] pallet out of the rack.

Q To pull there [sic] pallet out –

A Printing pallet.

Q In case there's not a material handler right there to take the pallet out into the high bay, is that right?

A Uh-huh, yes.

Q But, that's gone now.

A Yeah, that's gone now.

Q The –

MR. MCGLOW [sic]: I've no further questions of this witness.

HEARING OFFICER: Okay. Mr. McCarthy?

[p. 160] MR. MCCARTHY: Nothing further.

HEARING OFFICER: I have just a few questions, I want to make sure we touched something, I apologize if we covered it already.

Going to the maintenance department, you have the three janitorial employees, one works a shift a piece, each shift gets a janitorial employee. You mentioned that they have occasion to go into the pressroom, how often a day do they go into the pressroom, to clean up?

THE WITNESS: They go through the pressroom every couple of hours.

HEARING OFFICER: Every couple hours?

THE WITNESS: Yeah, just too [sic] –

HEARING OFFICER: In an eight hour day, let's say, roughly how many hours are spent cleaning up the pressroom?

THE WITNESS: Two, maybe three.

HEARING OFFICER: Okay.

THE WITNESS: Per shift.

HEARING OFFICER: Per shift. Do they have occasion to go into the preparatory or prepress area?

THE WITNESS: Prepress usually cleans themselves, but, yes, they do go in there.

HEARING OFFICER: How many times a day?

THE WITNESS: Once in the morning.

HEARING OFFICER: Once in the morning. Okay. [p. 161] Now, do you have two mechanics, Mr. Mossing and Mr. Mulherin, how often do they go into the pressroom on a given day?

THE WITNESS: Depends how they run. Last week they were there about 30 hours.

HEARING OFFICER: 30 hours in the pressroom itself fixing up?

THE WITNESS: Yeah, yes, fixing the folder, fell apart.

HEARING OFFICER: How many hours do they spend as a rule, in that maintenance and rebuilding area, rebuilding machines which probably you'll sell sometime?

THE WITNESS: Very little.

HEARING OFFICER: Very little. Okay.

Now, another person in maintenance is Paul Griener, G-r-i-e-n-e-r, –

THE WITNESS: Right.

HEARING OFFICER: – does Paul have any occasion to leave his pallet area, which is located in high bay, and go into the main pressroom?

THE WITNESS: Yes.

HEARING OFFICER: When?

THE WITNESS: When there's a shortage of people that didn't show, he'd go in and fill in as a jogger.

HEARING OFFICER: As a jogger?

THE WITNESS: Yes.

[p. 162] HEARING OFFICER: Jogger is an unskilled position, correct?

THE WITNESS: Yes. Paul originally started as a jogger.

HEARING OFFICER: How often does he go in as a jogger?

THE WITNESS: He's been in the pressroom two – three of the last – three out five days for the last month.

HEARING OFFICER: Okay. Now, with respect to material handlers, I'm referring to the shipping and receiving department now?

THE WITNESS: Okay.

HEARING OFFICER: There's one, two, three, four, these are the people who operate the tow motor type machines?

THE WITNESS: Okay.

HEARING OFFICER: How often do they go into the main pressroom or the secondary pressroom, to drop off rolls of printing paper?

THE WITNESS: Secondary pressroom isn't being used at the present.

HEARING OFFICER: Okay.

THE WITNESS: The primary pressrooms there – a roll of paper will last you roughly 45 minutes, depending on what you're runing [sic]. They usually load up if they know that there's million run press – press run for a thing, [p. 163] they'll put five roles [sic] down.

HEARING OFFICER: Okay.

THE WITNESS: They're in the pressroom – in an eight hour day, they're probably in the pressroom four hours.

HEARING OFFICER: Four hours. How many material handlers per shift do you have?

THE WITNESS: Two.

HEARING OFFICER: Two?

THE WITNESS: Uh-huh.

HEARING OFFICER: So, when you have three shifts, the pressroom operates on three shifts?

THE WITNESS: Uh-huh.

HEARING OFFICER: There's –

THE WITNESS: Material handlers we have, let's see, we have, okay, material handler drivers, we have two people, we have a driver and a material handler per shift.

HEARING OFFICER: Okay.

THE WITNESS: And, or three drivers on days.

HEARING OFFICER: All right. What about the drivers, they have any reason, or cause to go into any of the main pressroom, or into the preparatory area?

THE WITNESS: No.

HEARING OFFICER: They have no occasion, they don't –

THE WITNESS: Just to walk through it maybe. [p. 164] They have – they deliver the product.

HEARING OFFICER: They deliver the product?

THE WITNESS: They load there [sic] own trucks.

HEARING OFFICER: They load there [sic] own trucks, so they would – they would load there [sic] own trucks again, referring to Joint Exhibit 1, they would load there [sic] trucks in the shipping dock, located in the Southeast corner of your facility, or the receiving dock. Would they do anything in the receiving dock?

THE WITNESS: Depends if there's a driver there, and there's a truck of paper, he might unload the truck of paper.

HEARING OFFICER: Okay. All right. Composition employees are located in offices kind of across the hall from the preparatory or prepress department area. Do they have occasion to go into the prepress department area a lot?

THE WITNESS: Yes.

HEARING OFFICER: How often a day do they – have to –

THE WITNESS: In there – there in the prepress office – well, let's see now, that depends on there [sic] day, there [sic] – there [sic] not on a scheduled day, but anywhere from an hour up to five, depending on there [sic] workload, to make the jobs ready.

HEARING OFFICER: All right. Do the pressroom [p. 165] employees have any occasion to visit or use the high bay area of your facility for any reason, or purpose?

THE WITNESS: If they have to take a pallet out.

HEARING OFFICER: Okay, is that a common occurance, [sic] or is that an uncommon occurance? [sic]

THE WITNESS: Rariety, [sic] and or if they cut the –

HEARING OFFICER: You say that's a rarity?

THE WITNESS: Rarity.

HEARING OFFICER: Okay.

THE WITNESS: And, or if they cut the – we have a job that has to trim every week.

HEARING OFFICER: Okay. Now, we've got – we've got sufficient evidence on pressman with there [sic] ink, not being permitted into the prepress area for the reason that – I guess they have a messy job, so to speak.

THE WITNESS: Uh-huh. Office area.

HEARING OFFICER: Okay. Now, do the employees – are – do are – do all the employees use the cafeteria to eat there [sic] lunch?

THE WITNESS: The majority of them do. The – the five up – the management office people up front don't use it. But, there's pop and candy machine [sic] back there, that they frequent.

HEARING OFFICER: Okay. What about a preparatory people?

[p. 166] THE WITNESS: Preparatory people, I know they use the vending machines, I don't know how often they sit out in the cafeteria.

HEARING OFFICER: Okay. You mentioned that in front of your building there's a, for the summer months, –

THE WITNESS: Picnic tables –

HEARING OFFICER: – or for the warmer months, I should say, they have a picnic table out there. Who uses that mainly?

THE WITNESS: Everybody.

HEARING OFFICER: Everybody?

THE WITNESS: Uh-huh.

HEARING OFFICER: Meaning, shipping and receiving, pressroom, prep –

THE WITNESS: Entire plant.

HEARING OFFICER: – composition people. Okay.

(Transcript continued on next page.)

[p. 167] Q Now, I know you have a locker room, rest room area in your facility. Who has their lockers in the locker room, rest room area?

A Everybody but the office and the pre-press personnel work out of that locker room.

Q Okay, everybody but the office people and the pre-press. What about the composition people, the two people?

A No, they don't have – they don't have facility for that.

Q They don't have a locker?

A No.

Q At all?

A If they do, it's in the pre-press locker area.

Q Okay, so, the pre-press locker, which is located in the south – southern portion, southwestern portion area, those lockers are for the composition people, the preperatory [sic] people, and any of your office personnel who are not in the unit here?

A Right.

HEARING OFFICER: Okay, I have no further questions. I think we covered everything. Mr. McCarthy, any additional questions?

MR. MCCARTHY: No.

HEARING OFFICER: Mr. McGlow [sic]?

MR. MCGLOW [sic]: Yeah, I have a couple of questions, [p. 168] I guess.

RECROSS EXAMINATION

BY MR. MCGLOW [sic]:

Q Mr. Tremonti, your office is in the front of the building. Is that right?

A Correct.

Q How much time would you spend in the press room yourself?

A Maybe an hour a shift, if I'm there. It depends.

Q If your – an hour a shift, if you're there, you're only there one shift a day, aren't you?

A I usually work 10:00 to 10:00. My hours are flexible. I've worked into the middle of the night. I don't have set hours.

Q So, there are some days you're not in the plant at all. Isn't that right?

A No, I'm at the plant everyday, unless I have to go to Cinncinati [sic] to pick up copy.

Q You were not at the plant when we delivered the suopeona [sic], were you?

A I was in Cinncinati to pick the copy. I didn't return until after 8:15.

Q So, you're out of the office a lot dealing with customers. Is that right?

A m out of the office dealing with customers on the [p. 169] hour on the basis of 12 hours a week.

Q And, you say you're maybe in the press room one hour a shift.

A Uh-huh.

Q Or, one or two hours a day?

A I tour the plant repeatedly through the day.

Q When you're in the plant, you walk through the plant?

A I tour, yeah.

Q But, you don't stay in the press room eight hours at a time?

A No, I don't.

Q The material handlers have no reason to be in the press room other than to deliver rolls of paper, and then, they move out, right? And then, they come in and get the pallets and, then they move out. Is that right?

A Right, unless they have to jog.

Q Unless they are doing a press room job, is that right?

A They weigh every pallet that comes off the press get's weighed. That's their function. That's in the press room. The scale's in the middle of the press room.

Q That takes a couple of minutes, right?

A Well, they have to drop it, weigh it, tag it, get back in, and go.

[p. 170] Q And move out.

A They do the same thing with every - we count our waste by weight. So, every job has weight reports. They do that at the press. They take the boxes when they fill up. They weigh them. They assign it to the, you know, the job that it goes into.

Q But, each trip into the press room could last -

A Two minutes.

Q - a few minutes, right?

A Right.

Q They bring in more than one roll at a time, don't they?

A Uh-huh.

Q They bring in two or three other stacks. Is that right?

A They're not supposed to, no. They're supposed to bring in a maximum of two rolls a trip.

Q Well, they bring in more than one.

A Right.

Q With the clamp, they can take out only one pallet at a time, obviously, is that right?

A Right, you have six folders running off at 20,000 an hour with an average pallet of 27,000 pieces. They're in the press room a lot.

[p. 171] Q They go in a lot. They stay for a couple three or four minutes and then they're out.

A Repeatedly.

Q Then they come back in, and, they go out.

A They're in and out repeatedly, yes.

Q Now, Mr. Griener is in the press room doing jogging work more now because of the absence of the 16 employees. Isn't that right?

A Yes.

Q Prior to June 1st, Mr. Griener rarely worked as a jogger. Isn't that right?

A Only as a fill in, yes.

Q There aren't any press mechanics working second or third shift. Is that right?

A Scott and Hollis were on 10 hour shifts on a normal basis. Second shift was void of any mechanic for about four hours a day.

Q Hollis was on the third shift, and he'd do the mechanical work.

Q Right.

Q Then, he was the press room group leader, as he's listed here. Is that right?

A And, the one that did all the training.

Q And, Scott Shaffer would do mechanical work during the day. Is that right?

[p. 172] A Yes, along with Rick.

Q Along with Rick Mossing?

A Rick Mossing, yes.

Q You said, I think – strike that. No further questions.

HEARING OFFICER: Mr. McCarthy?

REDIRECT EXAMINATION

BY MR. MCCARTHY:

Q Paul Griener, the pallet maker.

A Yes.

Q Prior to June 1 of '87, you say he's in the[2] press room only as a fill in?

A Yes.

Q For whom would he be filling in?

A Missing joggers.

Q Can you give us any idea, looking at the period of time prior to June 1 of '87, how many days a week he would be in there filling in for a missing jogger?

A Well –

Q If you know.

A No, I don't know – six or eight hours, maybe on a weekly basis.

MR. MCCARTHY: Nothing further.

HEARING OFFICER: Okay, you may be excused, [p. 173] thank you very much.

(Witness excused.)

HEARING OFFICER: Go off the record briefly.

(A short recess was taken.)

HEARING OFFICER: Back on the record.

Mr. McCarthy, it's my understanding at this time that you don't have any additional witnesses to present. Mr. McGlow [sic], do you wish to present any witnesses at this time?

MR. MCGLOW [sic]: I think I'm going to just call Mr. Freeze for a couple of questions.

HEARING OFFICER: Mr. Freeze?

MR. MCGLOW [sic]: Yes, Mr. Joe Freeze, right here beside me.

HEARING OFFICER: Okay, Mr. Joe Freeze, would you like to have a seat please?

Please be seated.

Mr. Freeze would you please state your name for the record?

THE WITNESS: Joseph Freeze.

HEARING OFFICER: How do you spell Freeze

THE WITNESS: F-r-e-e-z-e

HEARING OFFICER: Okay, if you'll raise your right hand. [p. 174] Whereupon,

JOSEPH FREEZE

was called as a witness herein and, after having been first duly sworn, was examined and testified as follows:

HEARING OFFICER: Mr. McGlow [sic].

DIRECT EXAMINATION

BY MR. MCGLOW [sic]:

Q Would you state your name for the record?

A Joseph Freeze.

Q And, you are one of the employees who worked at NTA until early June of this year, and, you're one of the employees that is referred to in the unfair labor practice complaint?

A yes.

Q And, you're no longer working there at this point in time?

A Right.

Q What was your position when you worked at NTA?

A A pressman.

Q What press did you run?

A 1B.

Q And, what shift?

A First.

Q And, was a particular jogger assigned to [p. 175] work on that press with you?

A Yes.

Q And, who was that?

A Robert Emerson.

Q Now, you were here when Mr. Tremonti testified that pressmem [sic] would ocassionaly [sic] enter the pre-press area if there were registration problems, and, they would work with the strippers. Is that right?

A They may –

Q Were you here when he testified to that?

A Yes.

Q Now, can you – did you, yourself, ever go into the press room, I mean the pre-press room to work with a stripper on a registration problem?

A No.

Q If there were that kind of a problem, how would it be handled?

A Most of the time I would get hold of Scott Shaffer, and point the problem out to him, and, he would handle it from there.

Q Now, did janitors enter the press room?

A Yes.

Q How often, in a day, would they come in the press room?

A They might come down through the center [p. 176] of the press room maybe once or twice, at the maximum, three times a day.

Q And, would they mop in behind the presses?

A No.

Q Did they mop and sweep in the center?

A In the center.

Q And, how long would they be in the press room each time?

A It probably takes 15 minutes each time.

Q Do you know Mr. Paul Griener. Do you know who he is?

A Yes.

Q He is the pallet maker?

A Yes.

Q Did he ever work in the – as a jogger when you were working as a pressman?

A Yes.

Q Approximately how often would he work as a jogger?

A Probably about once every three months.

Q Who handled most of the mechanic problems in the press room during the first shift?

A Scott Shaffer.

Q Were Mr. Mossing and Mr. Mulherin in the press room often?

[p. 177] A No, on a rare ocassion [sic] Mr. Mossing would be there.

Q When you talk about rare ocassion, [sic] could you give the record some kind of idea?

A If there was an electrical problem, and, if it would be an extreme problem, nothing simple, like the switches or anything, but something with one of the presses that was electrical.

Q Mr. Mossing would come in then?

A Yes.

Q Other than delivering paper and taking out pallets, would a high-low driver do anything in the press room?

A No.

MR. MCGLOW [sic]: I have no further questions.

HEARING OFFICER: Mr. McCarthy?

CROSS EXAMINATION

BY MR. MCCARTHY:

Q Mr. Freeze, when you worked at NTA graphics as a pressman, you were assigned to a particular press?

A Yes.

Q You have heard Mr. Tremonti's testimony about the presses and how they worked, and, you're no doubt familiar with that.

A Yes.

[p. 178] Q When a press is running, do you consider it a necessary part of your job duties to attend to that press, to be there, to observe it, to make sure it's working?

A Yes.

Q If you're doing your job properly, that's what you're focusing on. You're focusing on that press, and seeing how it works, and that it works, and making the adjustments necessary to make it work?

A Yes.

MR. MCCARTHY: Nothing further.

REDIRECT EXAMINATION

BY MR. MCGLOW [sic]:

Q If you were running your press, could you see if a janitor was mopping behind it?

A Yes, most definitely. I have to go in behind to fill the inks and adjust the waters.

Q Approximately how much in percentage terms, how much of your time did you spend in the press room?

A 99 percent of my time was spent in the press room.

MR. MCGLOW [sic]: No further questions.

HEARING OFFICER: Mr. McCarthy?

Okay, let's go off the record so we don't waste tape. Off the record.

[p. 179] (A short recess was taken.)

HEARING OFFICER: Back on the record.

RECROSS EXAMINATION

BY MR. MCCARTHY:

Q Now, Mr. Freeze, I turn your attention to what has been marked as Joint Exhibit 1, I want to clarify on this exhibit which press was it that you said you were assigned to?

A 1B, right here (indicating).

Q Okay, now, 1B consists of eight units?

A Yes.

Q Now, where would you stand? I guess all I want to ask you to do is indicate where you would stand.

A I don't stand. I run from this end of the[2] press all the way around the butler to take care of the butler, make sure I load it, and, I have to go behind to fill ink trays, because a lot of the ink lines don't work, adjust water

trays or something, or fill the waters that don't work. I'm around the whole area constantly.

Q Now, there's an area here (indicating). How far is that? What is that?

A That's the butler. Between the butler and the folder it's probably about 20 foot.

HEARING OFFICER: Excuse me, for clarifica[p. 180]tion, so somebody trying to figure out what we're talking about who doesn't have pictures or video tape of us, there are – there's a thing that states, it says, "Buns, two butler, two folders, and there is like a little space –

MR. MCGLOW [sic]: It's eight units.

HEARING OFFICER: Eight units, I'm sorry, I can't read the writting. [sic] But, anyway, there's like these oval little ovals to the, based on our compass readings, to the east of 1B. What are those little things? This and this?

THE WITNESS: They are the butler units.

HEARING OFFICER: The butler what?

THE WITNESS: Units.

HEARING OFFICER: Units?

THE WITNESS: What we put the paper on.

HEARING OFFICER: That's the units that you put your paper on. They are kind of like the things that hold the paper?

THE WITNESS: Yes.

HEARING OFFICER: Okay, I'm sorry.

MR. MCCARTHY:

Q Now, you're saying – tell me the distance between – if you come off the end of the units, I guess this is the folder.

[p. 181] A Folder.

Q The distance between that and the butler.

A 15 to 20 foot.

Q Okay, from this butler (indicating) to the next butler?

A Those are right up against each other. There's probably five or six foot in between them.

Q Okay, now, isn't it true that, although not drawn on this diagram, if you stood, well, let's put it this way, that immediately south of the unit that you work at, there's a large wall in effect?

A Uh-huh.

Q What's the purpose of that wall?

A There's a bench there, a tool bench.

Q Okay, and, how high is that bench?

A About 7 foot.

Q Okay, now, also, just so, although it's not depicted on the diagram, are there similar benches adjacent to the other units, the other presses?

A Yes.

MR. MCCARTHY: Nothing further.

HEARING OFFICER: Mr. McGlow [sic]?

REDIRECT EXAMINATION

BY MR. MCGLOW [sic]:

Q Did I ask you how long you worked there?

[p. 182] A No.

A How long had you worked there?

A Two and a half years.

Q Then, what you've testified here today, is that basically you're experience over the two and a half years?

A Yes, I had prior experience also.

Q No, I mean what you testified here today about the janitors and the –

A Yes.

Q – and so forth, is that basically what happened over the two and a half year period?

A Yes.

MR. MCGLOW [sic]: No further questions.

HEARING OFFICER: Okay, I have no additional questions to ask at this time. You may be excused, Mr. Freeze, thank you very much.

(Witness excused.)

Mr. McGlow [sic], do you have any additional witnesses that you wish to present?

MR. MCGLOW [sic]: No, we do not have any additional witnesses.

HEARING OFFICER: Mr. McCarthy, any other witnesses at this time you wish to present, or any rebuttal witnesses, or whatever?

[p. 183] MR. MCCARTHY: Well, I don't – I guess my that [sic] my though [sic] is this, if we are going to finish today, no. If, depending on what's happening with the subpeona, [sic] if we are going to have to reconvene for purposes of the subpeona, [sic] I would like to reserve the right to call a rebuttal witness at that time.

HEARING OFFICER: Okay, let's go off the record, and we –

MR. MCGLOW [sic]: We can do it on the record. We're not going to demand the records.

HEARING OFFICER: Okay, so in other words, the Union is not going to persue [sic] the subpeona [sic] ad – duces tecum, I'm sorry, I'm getting my latin mixed up here, the subpeona [sic] duces tecum.

What about the subpeona [sic] ad testificandum submitted for Mr. Norman Tremonti?

MR. MCGLOW [sic]: We'r [sic] not going to persue [sic] that either.

HEARING OFFICER: Okay, let's go off the record now at this time.

(Discussion off the record.)

HEARING OFFICER: Back on the record.

Earlier in this hearing there was reference to a petition to revoke subpeonas, [sic] plural, filed by the Employer in this matter. With respect to the petition [p. 184] to revoke subpeona, [sic] as applied to the subpeona [sic] ad testificandum served upon Mr. Norman Tremonti, it's my understanding the Union has no intention of persuing [sic] that matter as far as getting Mr. Norman Tremonti to testify as a result, that information, I think is a moot issue, therefore, I am going to deny the petition to revoke as it applies to Mr. Tremonti, Mr. Norman Tremonti.

Now, as it applies to Mr. David Tremonti, obviously, the record shows that Mr. David Tremonti was present. He testified under oath. And, he testified under oath at great length, therefore, I find that the Employer, in fact, complied with the subpeona [sic] request, and, it would be just no sense in revoking that subpeona [sic] at this time, therefore, I'm going to deny that petition to revoke.

Lastly, with respect to the subpeona [sic] duces tecum that was filed for a series of documents in this matter, the Union has advised me orally that it does not wish to proceed or insist upon the Employer providing those documents at this hearing, and, as a result, I am going to deny the petition to revoke the subpeona [sic] duces tecum, in as much as it's also moot as of this time.

Let's go off the record.

[p. 185] (Discussion off the record.)

HEARING OFFICER: Back on the record.

Based on our off the record discussions, both counsels have advised me that neither wishes to argue their

case orally at this time, and, that they intend to submit an arguement [sic] by means of a brief to the – in care of the regional director.

With respect to a summation of the issues, this – there was really only one major issue involved in this particular matter, that is a scope of unit type issue. The Employer, in effect, wishes to – for the regional director to direct an election in a unit much broader than that petitioned for and amended at this hearing by the Petitioner.

Once again, the Petitioner is seeking to represent a bargaining unit which would read as follows: all preperatory [sic] and press department employees employed by the Employer at it's [sic] 5225 Telegraph Road, Toledo, Ohio facility, excluding all office clerical employees, maintenance department employees, composition department employees, and all shipping and receiving department employees, including truck drivers and all office clerical employees, and professional employees, guards, and supervisors as defined in the Act.

Now, the Employer, on the other hand, would [p. 186] request that the Director for a community of interest reasons, would direct an election in a unit as follows: all preperatory, [sic] press, maintenance, composition, and shipping and recieving [sic] department employees employed by the Employer at it's [sic] 5225 Telegraph Road, Toledo, Ohio facility, excluding all office clerical employees and all professional employees, guards and supervisors as defined in the Act.

Is that a correct summary of the desired units for each respective party as you understand it?

MR. MCGLOW [sic]: Yes.

MR. MCCARTHY: Yes.

HEARING OFFICER: Mr. McGlow [sic], Mr. McCarthy very good so my summary.

Mr. McGlow [sic], with respect to the Petitioner, should the Director find appropriate a collective bargaining unit much broader than the one that you are petitioning for, would the Petitioner seek to be on the ballot in an election in such an instance?

MR. MCGLOW [sic]: Well, better go off the record for a few minutes.

HEARING OFFICER: Off the record.

(Discussion off the record.)

HEARING OFFICER: Back on the record.

MR. MCGLOW [sic]: The answer to your question is, [p. 187] if the Director directs an election in a larger unit than we petitioned for, we would still be interested in representing that unit, so, we still want an election.

HEARING OFFICER: Okay.

MR. MCGLOW [sic]: Was that the question?

HEARING OFFICER: That's the question. We want to know if you'd be willing, or, do you want to seek – basically, what the question would read was, does the Petitioner seek to be on a ballot in an election if the Director deems the appropriate to be broader than that petitioned for, and, the answer is, yes.

MR. MCGLOW [sic]: Yes.

HEARING OFFICER: Okay, we delt [sic] with the issue of oral arguements. [sic] It's my understanding that the Parties wish to file briefs in this matter. Off the record, briefly.

(Discussion off the record.)

HEARING OFFICER: Back on the record. Once again, it is my understanding that the Parties do wish to file briefs on this matter. Is that correct, Mr. McCarthy?

MR. MCCARTHY: Yes.

HEARING OFFICER: Mr. McGlow [sic]?

MR. MCGLOW [sic]: Yes.

[p. 188] HEARING OFFICER: Okay, at this time I will give the Parties until the close of business on July 16, 1987 for the filing of briefs in this proceeding. Any questions concerning that at this time?

MR. MCCARTHY: The Employer would request at this time an additional period of seven days thereafter for the filing of briefs. I think we can expect a transcript, Monday?

HEARING OFFICER: The court reporter is nodding, yes.

MR. MCCARTHY: Okay, I have several all day commitments next week, and, it's going to be virtually impossible for me to get a brief in if I get a transcript on Monday by the following Thursday, for that reason, I'd request an extension of an additional seven days, which would, in effect, be until July 23.

HEARING OFFICER: Okay, Mr. McGlow [sic]?

MR. MCGLOW [sic]: I'd request an extension for seven days after the briefs are received.

HEARING OFFICER: Okay, as I mentioned to you, we had a brief off the record discussion, at this time, I am going to deny your request. I think seven days should suffice. Once again, let me remind you, that if you do wish to have an additional seven days, or [p. 189] any extension, really, if you make a request in writing to the regional director, I'm sure he will act accordingly upon any reasonable request for an extension.

Okay, just once again, the only issue, again, is scope of unit. There was some discussion here about supervisory matters, at this time, nobody's taking any position on any other supervisors unless those stipulated specifically in Board Exhibit Number 2, so, that's for the benefit of the reader of this record.

If there is nothing further the hearing will be closed. The hearing is now closed.

(Whereupon, at 3:20 p.m., the hearing in the above-entitled matter was closed.)

NATIONAL LABOR RELATIONS BOARD
Docket No. 8-RC-13648 OFFICIAL EXHIBIT NO. E-1

disposition
Illegible x
Received x
Rejected _

In the matter of NTA Graphics Incorporated
Date 7-9-87 Witness Tremonti Reporter Illegible
No. Pages

Employer Exhibit 1

NTA GRAPHICS, INC.

Departments and Job Classifications

Dept. 700 Management	David Tremonti Gail Tremonti Frank Skwiera
Dept. 200 Office	Lisa Bartkiewicz – Computer Operator J. Lajiness – Receptionist David Allen – Security
Dept. 900 Maintenance	Craig Zdybek – Janitorial Alex Naus – Janitorial Howard Hakanson – Janitorial Richard Mossing – Press Mechanic Bob Mulherin – Press Mechanic/ Inventory Clerk
Dept. 910 Pallets	Paul Griener
Dept. 800 Shipping/ Receiving	Randy Perdue – Group Leader Gerald Hennenan – Driver Mark Ruetz – Material Handler J. Neuenschwander – Material Handler Cecil Long – Utility Thomas Harris – Driver Don Gates – Material Handler Mike Bond – Driver Joe Baer – Material Handler

Dept. 400 Composition	Caroline Hickman – Dispatch/Layout Yvonne Sargent – Typesetter/Layout
Dept. 100 Pre-Press	Beryl Grisier – Group Leader/ Camera/Plate Jim Smothers – Stripper Rick Carter – Stripper Chris Callaghan – Stripper Pat Mossing – Stripper Darcy Doyle – Plater Paul Mullins – Part-time Stripper Dan Etue – Part-time Camera
Dept. 000 Pressroom	Scott Shaffer – Supervisor/Pressmen/ Mechanic Hollis Shaffer – Group Leader/ Pressmen/Mechanic John Jackson – Pressmen trainee Bradley Clark – Jogger/utility Tracy Davis – Jogger/utility
Dept. 000 Pressroom	David Kollman – Jogger/utility Don Jones – Jogger/utility Lester Roberts –Jogger/utility Robert Miller – Jogger/utility Mike Rogers – Utility Doug Boursaw – Jogger/utility Craig Dixon – Part-time Pressman John Wilhelm – Pressman trainee William Ruckreigle – Pressman Phil Rogers – Pressman trainee Ron Nagel – Pressman/jogger Mike Mossing – Pressman trainee Jim Danford – Pressman trainee David Cortez – Pressman trainee Tim Brewer – Pressman trainee

TRAINEE IS ANYONE WITH LESS THAN THREE YEARS EXPERIENCE

NTA GRAPHICS INCORPORATED

EMPLOYEE HANDBOOK

NATIONAL LABOR RELATIONS BOARD

Docket No. 8-RC-13648 OFFICIAL EXHIBIT NO. E-2

disposition Illegible x
Received x
Rejected __

In the matter of NTA Graphics Incorporated
Date 7-9-87 Witness Tremonti Reporter Illegible
No. Pages

Dear NTA Graphics Employee:

You have made application with and have been accepted for probationary employment with NTA Graphics Inc. it is my pleasure to WELCOME you as an employee.

Talking about successful businesses and their chief executives, you've probably heard it said at one time or another that "the key to that fellow's success is that he's surrounded himself with good people." Where NTA is concerned, I am optimistic that this saying will hold true. Those KEY PEOPLE are YOU – the employees. YOU are important in making things happen . . . YOU can insure that they happen in the best interest of the Company. And, the best interest for the Company, is the best interest for you.

As an employee of NTA, you have a right to know what you can expect from your Company; and you should also know what the Company expects from you. This booklet provides that information to you. It is intended to help you gain a complete understanding of

the opportunities and benefits that employment with this Company can provide. It will also help you understand the rules and regulations that must govern our relations with each other.

Please read this handbook carefully, if you have any questions, discuss them with your supervisor. He will be happy to give you any further information that you may require.

My THANKS in advance for that "extra effort" and real concern for your work that I have come to expect from all NTA employees. The contribution you will make to the total Company operation is greatly appreciated.

Sincerely,

Norman Tremonti
Chairman of the Board

DISCLAIMER

"While we believe wholeheartedly in the policies and procedures summarized in this booklet, they are not conditions of employment. The booklet does not create an employment contract or term, or limit the reasons for dissolution of the employment relationship, but rather simply sets out for your information some of our guidelines which may be changed from time to time in light of experience without notice.

EQUAL EMPLOYMENT OPPORTUNITY:

NTA is an equal opportunity employer. We pledge to provide equal employment opportunities without regard to race, creed, color, religion, national origin, sex, age or

handicap. This pledge applies to all employees and applicants for employment in connection with hiring, placement, upgrading, laying-off, transfer, re-employment, company-sponsored training, benefits, compensation and termination. NTA also seeks to employ and advance qualified handicapped individuals that fit our labor availability. NTA has developed positive recruitment activities to that end, and we encourage all employees to help in meeting these objectives.

WORK ENVIRONMENT:

Here at NTA, the environment is good – both the working conditions and our personal relationships create a team spirit. Each employee is treated as an individual and is an important participant in the operation of our plant. We want you to talk with us, and we want to talk with you; we hope to keep it that way.

The management of NTA is dedicated to providing good working conditions, good wages and good benefits. You receive all these things by working for NTA.

At NTA what you say counts. We feel that direct communication between management and employees is the easiest way to make management aware of your problems. Do not hesitate to make your feelings known; this is the only way management can help solve your problems.

YOUR SUPERVISOR

Your supervisor has obtained his position through hard work and years of dedicated service. Over those years he has learned correct processes, procedures and

operations of each job under his supervision. He has the responsibility and the authority to make important day to day decisions in the department of his jurisdiction. He should be able to answer any questions or handle any problems that may arise for you as an individual. His leadership is vital in our operation, and your willingness to follow his lead is imperative.

QUESTIONS, SUGGESTIONS & COMPLAINTS:

We encourage you to bring your questions, suggestions and complaints to our attention. We will give careful consideration to each of these in our effort to continually improve our operation.

If you have any questions, suggestions or complaints, we encourage you to frankly discuss them with us, no matter how small they may seem to you.

Here are the steps that you may take:

First, if you feel you have a problem, you should present the situation to your supervisor so the problem can be settled quickly. Your supervisor knows you and your job best.

If you are not satisfied with your supervisor's response or if for some reason you do not wish to bring the problem to the attention of your supervisor, you may take the problem to the personnel manager. The personnel manager will answer your questions or solve your problems personally or if that is not possible, your problem will be presented to upper management and you will receive a final answer or decision.

We are anxious to hear from you on any subject. We want you to have every opportunity to discuss your problems freely and to feel that you have been treated fairly.

*The suggestion box is emptied daily by management personnel.

INTRODUCTORY PERIOD:

All new employees receive on-the-job training. During this period, employees will be considered probationary for ninety (90) working days. As a new employee, you will receive instructions on how to do your job correctly. The methods you will be taught have been time tested to insure safety, quality and production. They are designed to help you work SMARTER not HARDER.

If you do not understand the reasons for a certain step or steps, ask your supervisor. Let's talk about it and avoid any misunderstandings.

During your probationary period your performance will be evaluated, and you will be counseled by your supervisor. We are confident you can learn the skills required to meet our quality and production standards. Your performance will be reviewed after this ninety day probationary period.

HOURS OF WORK:

Because of the varied duties of each of our departments and the numerous deadlines we are required to meet, NTA operates on a wide range of 8-hour, 10-hour or 12-hour schedules. Each department sets hours as needed

to meet work and deadline requirements. Your supervisor will keep you advised as to what hours you will work. Saturdays and Sundays are mandatory when the work load requires those days to be worked.

NTA WAGES:

Your wages and benefits with NTA represent one of the finest packages for our industry in this area. They have been established and will be maintained at a competitive level through a continuing review of local area industry conditions and pay scales.

OVERTIME PAY:

You will be expected to work overtime as requested to meet our deadlines. Your overtime hours will be paid at time-and-one-half of your regular hourly rate, if you are an hourly worker, as follows:

- for authorized work in excess of 40 hours per week.
- authorized Saturday or Sunday work, in excess of 40 hours worked
- authorized holiday work, plus holiday pay for qualified individuals.

Any employee working overtime without authorization will not be paid for that time. Overtime must be approved by your supervisor.

Holiday hours and hours paid for vacation will not be counted as hours worked computing overtime.

TIME CLOCK PROCEDURES:

A time clock is located at the employee entrance for use by our hourly employees. You are to:

- Punch in when starting to work
- Punch out and in for lunch even if you eat in the plant
- Punch out when you finish work

Employees are expected to start work as soon as they punch in. When you punch out you MUST leave the building. Do not linger in the plant or bother people that are still working. If, for any reason, you have to have time written in on your time card it MUST be approved and initialed by your supervisor or the personnel manager.

No one can punch a time card for another employee – ever. **Violation of this rule means immediate dismissal for both employees involved.**

All hourly employees are to enter and exit the building through the employee entrance door.

PAY DAY:

You will be paid by check every Friday after 2:00 p.m. for work performed in the preceding week. A work week is defined as the period of time from 12:01 a.m. Monday to 12:00 Midnight Sunday. If there are any mistakes on your check, notify your supervisor immediately for the necessary corrections.

Shift supervisors will distribute checks on their respective shifts.

Pay checks will not be given out early, for any reason, so do not ask for them.

Only the employee whose name appears on the paycheck may receive it, unless another person has a written order plus a telephone request from the employee asking for his or her paycheck. For employees absent on pay day, pay checks will be held until the employee returns to work.

BENEFITS:

NTA provides for its employees a growing combination of benefits – benefits which are becoming the best of those provided by comparable companies in our industry. These benefits include insurance, paid holidays, vacations and other advantages which are described below.

INSURANCE: NTA pays 75 percent of an employees medical coverage whether you carry an individual or family plan. This coverage also includes $25,000 cash value Life Insurance.

VACATION: Each employee is entitled to a paid vacation of one week (40 hours at current pay rate) after one year of continuous employment with NTA Two weeks will be paid after 3 years continuous employment.

Three weeks will be paid after 7 years continuous employment. Four weeks will be paid after 12 years continuous employment. Five weeks will be paid after 20 years continuous employment.

Vacation time cannot be accrued and carried over from one year to the next. Any vacation time you do not use, you lose.

Time off for vacation must be scheduled in advance. Notice must be given two weeks prior to desired vacation date. If two employees working the same shift in the same department want to take a vacation the same week, the person who turned in their notice first will get that week. So, if you plan your vacation early and let us know you will be assured that time period.

Vacation checks will not be issued until on or after the date an employee becomes eligible. If an employee quits before his eligibility date (hire date), no matter how long he had been employed, he will not receive vacation pay.

Call-in, part-time and temporary personnel do not receive paid vacations, or medical or life benefits. All vacation checks will have the required amount of taxes deducted. This is required by state and federal law.

SICK LEAVE PAY:

Hourly employees do not receive sick leave pay. When possible you will be given a chance to make up the hours you missed.

DAILY ABSENCES:

When NTA hires you, you are assigned a specific job with specific responsibilities. For that reason, your presence is imperative unless a situation arises over which you have no control. If you are absent, special arrangements must be made to fill your vacancy. Notification of absenteeism to the Supervisor prior to the start of the shift of a work day shall be required. An absentee report

will be filled out by your supervisor and turned in to the personnel office. That report becomes a permanent part of your work record. A report will also be filled out and kept on file when you are late coming to work.

When calling in to report an absence or that you will be late, you should speak directly to your supervisor if possible. If not, speak to the receptionist. Call at least 2 hours prior to your scheduled start time.

A doctor's report must be brought in anytime you are absent due to illness.

An excess of absences or tardiness will result in pink slips and possible dismissal of employment if absences and tardiness continue after proper and sufficient warnings. Also, too many absences and excessive tardiness could be cause to deny raises to an employee.

FIRE OR EMERGENCY PROCEDURES:

For the safety and convenience of the employee, NTA fire exits are clearly posted. Fire extinguishers are located throughout the plant.

At the first sign of a fire, if you are near an extinguisher, make an attempt to bring the fire under control. If this is not possible, call the fire department – Dial 244-3473 – then go to the nearest exit and leave the building.

DISCIPLINARY PROCEDURES:

"While we support the principle in progressive discipline, you should be aware that more serious offenses can

and will result in immediate dismissal from employment without prior warning."

The disciplinary system used at NTA Graphics is that of warning notices. These may be issued for any number of reasons, the most common are: absenteeism, tardiness, conduct, housekeeping habits, or poor attitude. The immediate supervisor is usually the person generating the warning notice, but they may be issued by anyone in upper management. The first notice carries only the notice itself, usually. The first written notice usually comes after several verbal warnings. The second notice will carry a three-day suspension without pay. The third notice means automatic dismissal. In each case, the employee is allowed to present their sides of the story, and if enough reason is shown, the notice may be revoked. These pink slips become a part of your permanent work record.

The Company can and will dismiss an employee without prior warning if there is sufficient cause.

An employee may have a warning notice cancelled if, after receiving a notice, he does not get another for 15 months.

Employees will receive warning notices for being on the premises when they are not working, unless they have proper authorization. Being in the plant, out of your designated work area without sufficient cause is also reason to receive a warning notice. No employee should ever be around the presses except pressrooom [sic] (Dept. 000) personnel. This is for your own safety as well as those working on the presses.

SMOKING:

Smoking is prohibited in certain areas of the plant. Due to the amount of paper, dust, and chemicals, you are allowed to smoke only in the designated areas which are clearly marked.

Failure to adhere to this will result in reprimand and or dismissal.

FACILITIES:

The NTA facility represents a large capital investment by its stockholders. You will be encouraged to use all the facilities available, but you will also be required to keep the facility neat and clean. We ask that you treat our facilities as you would treat your own home, for this is your home approximately one-third of the time.

EATING AREA: This plant provides you with an eating area, away from your work. This area should be used for lunch, breaks and relaxation. There are vending machines in this area with drinks, cakes, cookies, etc. We provide a microwave oven for heating sandwiches, soups and anything you may wish to bring from home. PLEASE DO NOT PUT METAL OBJECTS IN THE MICROWAVE. We expect all our employees to do their part to keep the eating area clean. A refrigerator is also supplied for your use, keep it clean.

RESTROOMS, WATER COOLERS AND PARKING LOTS are located on the premises for your convenience and use.

PRODUCTION AREAS are the areas where the actual construction of our product is being performed. These

include the Pressrooms, Stripping & Camera Department, Typesetting Department, Shipping & Receiving Department, and Art Department. Everyone in these areas has a job to do; therefore, visiting, horseplay, or loafing is not tolerated in these areas. You are to stay in your department. No one from any department other than Dept. 000 is to go around the presses – EVER!

TOOLS AND EQUIPMENT:

The tools and equipment used in the production of our product are very expensive and should be treated as if they were your own. Please do not abuse the tools and equipment or lose them. All assigned items are your responsibility for care and replacement costs due to loss or abuse.

TELEPHONE CALLS & PERSONAL VISITORS:

The telephones in our facilities are for business purposes and must be available to our employees that depend on them to do their jobs and to our customers.

Personal calls will be accepted for employees only in cases of emergency. If some situation makes it necessary to make outside calls, check with your immediate supervisor for permission. A payphone is located at the employee entrance. Do not use the company phone for private calls.

Employees having personal visitors in our plant is NOT permitted. Each of us has a job to do, and our visiting should be done in our homes after work hours. If an emergency makes it necessary for someone to contact

you personally, they must come to the front office. Abuse of the telephone or having visitors in the plant will result in a warning notice being issued.

PLANT VISITS:

All plant visits by individuals or organizations for other than business purposes must be arranged through the front office.

SOLICITATION AND DISTRIBUTION BY NON-EMPLOYEES:

Solicitation, distribution of literature or trespassing by non-employees on these premises is prohibited.

EMPLOYEE SOLICITATION AND DISTRIBUTION:

Employees are not permitted to distribute advertising material, handbooks, or printed or written material of any kind in production and working areas of the plant during working hours or when not working.

OFF DUTY ACCESS TO COMPANY FACILITIES:

Employees are not permitted access to the interior of NTA facilities or other internal or outside work areas during off duty hours. This includes the parking lot.

- Anyone punching the time clock for another employee will cause both parties involved to be dismissed immediately
- Employees are not allowed out of their designated work area without proper cause or authorization.

- Anyone removing safety guards, for other than repairs will be dismissed immediately.
- Injuries must be reported immediately to your supervisor.
- Except in cases of emergency, running on company property is prohibited.
- Removal of locks or danger tags on any machinery is prohibited.
- Employees should make no attempt to catch falling objects.
- Never use defective machinery. Use only authorized equipment in specific operations.
- Smoke only in areas designated as smoking areas.
- Tampering with any machinery is forbidden.
- Make certain all emergency equipment, such as fire extinguishers, alarms and exit doors, are accessible at all times.
- Know the locations of all fire and safety exits.
- Wear safety glasses in all safety-glass areas. These are marked by green tape and signs.
- Do not wear any jewelry such as watches, rings, bracelets, and necklaces while working around or operating moving machinery.
- Safety shoes must be worn at all times. Sandals and sneaker-type shoes are never acceptable.
- Keep your work area clean. A clean area is a safe area.
- No firearms, ammunition, or similar articles are permitted on company premises or immediate dismissal will result.

- When going off duty check work areas and equipment to see that they are in good order. Report any needed repairs to the shift foreman.

- Be responsible for your own safety and use care to avoid injury to other workers.

- If at any time machinery needs cleaning or adjusting while in operation, secure the permission of the foreman first.

- Never use compressed air to clean the clothing you are wearing.

- Maintain all tools in good repair.

The preceding list is of general plant safety rules and represents NTA's commitment to a safe work place.

Before starting work you will be asked to sign a complete list of all SAFETY AND PLANT RULES AND REGULATIONS. Management takes these rules seriously, and you are asked to read them and to consider them seriously before signing. We expect everyone that works for NTA to abide by these rules without question.

THE VIOLATION OF THE ABOVE RULES WILL RESULT IN REPRIMAND, SEVERE VIOLATIONS WILL RESULT IN IMMEDIATE DISMISSAL, BE SURE YOU SIGN THE FORM ON THE LAST PAGE OF THIS BOOK AS VERIFICATION THAT YOU HAVE READ AND UNDERSTAND THE RULES AND REGULATIONS SET OUT IN THE EMPLOYEE HANDBOOK.

SAFETY

PRESS & PRESSROOM

1. **SAFETY DEVICES** – Always put the press on safety when making adjustments or doing maintenance work. Use the button at the push button station nearest the area where the work is being done, even though one may be pushed in at another station. After pressing a button, always be certain that the safety signal lights are glowing.

   Do not bypass built-in safety devices and interlocks. All safety devices, whether mechanical or electrical should be functional at all times.

   Do not operate machinery when guards or covers are removed or open. Do not open guards when machinery is running.

2. **PRESS AND UNITS** – Do not touch any moving part of the press. Be sure the press is stopped and in safe condition before touching any operating part.

   Do not oil or grease machinery while it is in operation.

   Stand clear of the press when the red signal light glows and the bell is sounded to indicate the press will start running.

   Clean up paper dust, spilled ink or oil, rags and other waste which may accumulate on or around the press. Do this immediately when spillage of ink or oil or hydraulic fluid occurs. (THEN, not later!)

   Do not leave tools, cloths, oil cans or other materials on press frames, housings or platforms, or in aisles.

   Always replace floor plates immediately after completing work below the floor.

Do not attempt to clean blankets or clean cylinders while the press is moving.

Do not attempt to wipe inking rolls or drums while the press is moving.

Remove levers or wrenches from sockets and rags, immediately after they have been used and before starting the press.

Avoid standing in the aisles between units while the press is running.

3. **FOLDER** – DO NOT reach into or lean over any portion of the folder when the press is moving.

When working around the folding cylinder (Particularly when removing the knife bar), use extra caution to avoid contact with the pins & knives which will cause personal injury.

SECURITY:

NTA employs a Security Guard who is on duty at randomly selected hours on random days. His duties are:

- check outside doors and make sure they stay locked.
- patrol the premises every 30 minutes, inside and out.
- make sure that everyone on the premises is wearing an Employee I.D. Badge (yellow), a Temporary Pass (white) or a Visitor Pass (Beige).
- anyone trying to enter the building without a proper I.D. should be stopped.
- employees are to stay in their designated work areas unless they have proper cause or authorization to be elsewhere.

- Do not allow employees to loiter on the premises or in the building when they are off work.

- Guard will have a current list of employees and the shifts they work. This will be used to verify an employees presence in the building or on the premises.

- Guard is to see that all Rules and Regulations and Safety Rules of the company are followed.

If the guard is forced to reprimand an employee, a report is entered in their personnel file. More than one reprimand notice for the same offense and an employee will be given a pink slip.

BULLETIN BOARDS:

It is a policy of the Company to use the bulletin board to provide its employees with notices of changes in company policy, procedures or other information or [sic] importance.

Employees wishing to post items on the bulletin board must submit the item to the personnel office for approval and posting.

SHIPPING & RECEIVING:

Any person hired as a driver will be given a specific set of Rules and Regulations that apply only to drivers. They will be expected to follow these rules as well as those set out in this handbook.

SAFETY AND ACCIDENTS:

It is the basic policy of NTA to at all times provide a safe place to work for all employees in all departments.

All reasonable actions will be taken to assure safe and efficient work operations. Know your duties, and if you have any questions or suggestions for safer working conditions, notify your supervisor.

Your full cooperation and active participation are required, as safety can only be achieved through the effort of all involved.

In order to maintain the necessary safety requirements of our industry certain rules and regulations are necessary. Your supervisor will review these with you, and they are posted in the plant production areas. Our basic purpose is to produce our printed material safely and efficiently and then to deliver a first quality product to our customers.

The costs of employee injuries and workmen's compensation are growing greater each year. An injury to one of our employees often means the loss of skilled manpower, production, quality and profit.

Workmen's compensation benefits are provided for employees who suffer injury while in the course of their duties. To be eligible for workmen's compensation benefits, such injury must be reported to the office or your supervisor at once and medical treatment will be given by a qualified doctor when necessary.

Safety is a team effort and is similar to a chain. Any weak link in this chain will cause failure to the entire program. We at NTA are concerned with the well-being of

our employees and strive to maintain high standards in providing a safe working area and a healthful climate in which to carry out our assigned duties.

The following plant rules are in addition to the specific Safety Rules and Regulations that apply to individual departments within our company.

- Only authorized persons will operate the forklift (tow motor) and clamp. Riding the forklift or clamp along with the driver is prohibited.
- Avoid having the forklift or clamp pass the yellow lines marked around the presses and other equipment.
- The company will not tolerate speeding or unsafe, playful or irresponsible conduct on the forklift or clamp.
- Failure to use safety equipment properly could result in personal injury and dismissal.
- **theft or destruction of company property will result in immediate dismissal.**
- **Intoxication, drinking or using illegal drugs on NTA premises will result in immediate dismissal. This includes coming to work when you have been drinking or using drugs.**
- Being on premises when not working is not allowed.
- Horseplay anywhere in the plant or on the premises is not allowed. Employees caught doing this will be severly [sic] reprimanded and possibly dismissed.
- Everyone working at NTA in a production related department must wear an Employee I.D. Badge in plain view. Failure to wear your I.D. Badge will be cause for a written warning. If you lose your Badge have it replaced at once through the personnel office.

4. **LADDERS, STEPS AND PLATFORMS** – Keep ladders, steps and platforms free of tools, dust, ink, grease, etc. to assure safe footing.

   Do not sit on or lean against railings. They are provided as hand assists and safety barriers – use them as such. Also they are not to be used to collect rags.

   Use special care on ladders and steps. Always use the hand rails or hand grips when descending ladders, always face the rungs. Never use as a rag holder or for other foreign material.

5. **PAPER ROLLS AND RELATED EQUIPMENT** – On presses with reels-tensions-pasters, avoid walking or standing under the predrive belt or paster carriage or between it and the running roll when the press is in operation.

   On presses with pasters always be careful with knives.

6. **PRESS CONTROLS AND AUXILLIARY EQUIPMENT** – (Electrical controls) Under no circumstances attempt to analyze or correct electrical failures unless you are a fully qualified electrician. Lack of knowledge and improper electrical practices could cause serious injury or death to personnel, and damage to machinery.

7. **GUARDS ON PRESSES AND AUXILLIARY EQUIPMENT** – Always keep guard on and securely fastened. Removal will result in termination.

8. **LONG SLEEVE SHIRTS** – Are very dangerous and can cause personal injury. They are not allowed by pressroom personnel.

9. **LOADING PAPER ROLLS** – Never use clamp truck to load paper rolls on the press. Use the roll dollies and always use lifting bars to load on printing units.

10. **PRESSMAN AND COUNTER-O-VEYOR PEOPLE** – Are the only people allowed past yellow line painted on floor. This area is OFF LIMITS to personnel from other departments and to outside visitors.

11. **KEEP THE PRESS AND PRESSROOM CLEAN!** – This is everyones job – you are supplied time especially for clean up prior to leaving for the day.

12. **ANY DEVIATION** – From these rules, the employee and/or supervisor will be written up.

SAFETY

BATTERY CHARGER AND CHARGING AREA

1. Never unplug the battery charger from the battery being charged when charger is on!

   And never plug a battery to be charged into the battery charger when it is on.

2. Always check water in battery to be charged and make sure it is filled to the correct level. (Water level should be 1/8" to 1/4" above bottom plate with holes in it.) A visual check is good enough.

3. Always replace cell caps after checking water level. And never charge with caps off. Batteries give off a poisonous gas which can be harmful.

4. Keep hydraulic fluid leaks off the floor and area clean.

5. Always be careful of electrically shorting batteries. (Batteries will explode and injure personnel.)

6. DO NOT SMOKE in battery charging area.

7. Under no circumstances attempt to analyze or correct electrical failures on battery charger or batteries unless you are a fully qualified electrician. Lack of

knowledge and improper electrical practices could cause serious injury or death to personnel, and damage to machinery. REPORT TO MAINTENANCE FOR REPAIRS!

8. There is a log book located at the battery charger. Please make the necessary entries in this log so we can monitor batteries.

9. Any deviation from these rules, the employee and/or supervisor will be written up.

SAFETY

AIR COMPRESSORS AND AUXILLIARY EQUIPMENT

1. Keep air compressors and equipment clean and area clean.

2. Never adjust or repair until air compressor is electrically locked out.

3. Always replace guards after cleaning and adjusting.

4. Under no circumstances attempt to analyze or correct electrical failure on bailer unless you are a fully qualified electrician. Lack of knowledge and improper electrical practices could cause serious injury or death to personnel, and damage to machinery. REPORT TO MAINTENANCE FOR REPAIR!

5. Any deviation from these rules, the employee and/or supervisor will be written up.

PRODUCTIVITY AND QUALITY

PRODUCTIVITY IS SOMETHING EVERYONE NEEDS TO UNDERSTAND

What is your stake in the level of productivity at NTA Graphics?

Well, for one thing, the higher the level of productivity, the more satisfying job you have. This satisfaction translates into monetary rewards as well as how you generally feel about your work environment.

Why is this so?

First of all, let's look at what productivity really is. Simplified, productivity is a measure relationship between the output of goods and services and the amount of investment it took to create those goods and services. That investment not only includes costs of labor but also the cost of energy, raw materials and equipment. When NTA Graphics produces more from a given investment, then the rate of productivity goes up. When the output is less from the same investment, productivity goes down. (Excessive waste is the number one cause of decreased productivity at NTA)

WHO REALLY DETERMINES WHETHER PRODUCTIVITY RISES OR FALLS?

Does this mean it's left solely up to those in charge of investment for NTA Graphics to increase its productivity? absolutely not! No matter what your position at work, you can be a contributor to productivity improvement.

Often its [sic] simply a matter of figuring out how to accomplish a given task more efficiently and more effectively. Even the smallest improvements add up to big changes in productivity.

Ingenuity, then is a key to productivity. A person who makes it a habit to think up new ideas is a person who improves productivity day by day in his or her

workplace. As a result of higher levels of output for a given investment, an enterprise is better able to sell its goods or services because a more competitive price is allowed. This keeps jobs thriving and makes better pay possible. Just as importantly, by giving the consumer of the goods and services more value for a given price, improved productivity fights inflation.

QUALITY ACCOMPANIES ALL SINCERE PRODUCTIVITY EFFORTS:

Quality in goods and services is often a subject discussed among consumers, and numerous techniques for quality are preached and practiced. Yet when you think about it, simply an effort to improve productivity is probably the greatest way to assure quality, because efficient performance of the total series of tasks naturally leads to quality output of a particular product or service.

Productivity and quality – the two work together. And speaking of working together, the whole business of the economy and our quality of life hinges on cooperation. Most jobs today are interdependent. While each individual can contribute to productivity improvement, even greater results come when an entire workforce conscientiously applies the concept.

WHAT ARE THE WAYS YOU CAN BOOST PRODUCTIVITY?

Is there a sharing of suggestions on how tasks can be improved in your workplace? Perhaps you can trigger this kind of thinking, whether it's an idea on handling the paperwork in the office or handling materials in the

warehouse; whether it's a way to better organize and report sales calls or improve the flow of the production process.

Wherever you work and whatever tasks you perform, give attention to ways to improve productivity and quality. Share your enthusiasm with your fellow employees and likely they too will catch the "productive fever". And when everybody warms up to this subject, your work environment as well as your overall quality of life are bound to be satisfying!

After signing, cut along the dotted line and return to your supervisor or to the personnel office.

I, the undersigned employee of NTA Graphics Inc., hereby verify that I have read the Employee Handbook. I also confirm that I understand all the company policies and the rules and regulations stated in the handbook. I understand that failure to abide by these rules and regulations will result in severe reprimand, suspension or dismissal of employment.

"I understand that this booklet is not a binding contract, but a set of guidelines for the implementation of personnel policies. I understand that NTA Graphics, Inc. may modify or rescind any of the provisions in this booklet at any time for any reason it sees fit, and may do so with or without prior notice. I also understand that, notwithstanding any of the provisions in this booklet, I am employed on at-will basis. My employment may be terminated at any time, either by me or by NTA, with or without cause. I also understand that no supervisor or

other representative of NTA, other than the Chairman of the Board, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing."

_____ _____

Date Employee Signature

_____ _____

Date NTA Graphics-Personnel Manager

After signing, cut along the dotted line and return to your supervisor or to the personnel office.

HEARING AID AGREEMENT

EMPLOYEE NAME: _____ DATE: _____

TIME CARD NUMBER: _____

I understand that NTA has and will provide to me for my hearing protection ear plugs. I will wear earplugs at all times while in the press room. These have been supplied at no-cost for my hearing protection.

NTA Graphics has verbally made me aware, posted signs and has provided me hearing protectors for my use at all times while in the press room area.

I release NTA Graphics of any and all damages because I failed to adhere to the OSHA rulings, or wear the hearing protectors while in the press room.

_____ _____

Date Employee Signature

SHOE AGREEMENT

EMPLOYEE NAME: _____ DATE: _____

TIME CARD NUMBER: _____

Shoes will be supplied to me at no cost for use while an employee of NTA Graphics. I agree to use and will be responsible for loss or abuse.

NTA will buy one pair of shoes after my 90 day probationary period has been completed.

I realize should my employment end the very last check will be held until shoes are returned.

I understand and accept NTA Graphics conditions for the use of the shoes.

X _____
Signature

After signing, cut along the dotted line and return to your supervisor or to the personnel office

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UNIFORM AGREEMENT

EMPLOYEE NAME: _____ DATE: _____

TIME CARD NUMBER: _____

Uniforms will be supplied to me at no cost for use while an employee of NTA Graphics.

I agree to use and will be responsible for the replacement at cost for loss or abuse.

This will be taken at the time of loss or abuse from my paycheck and the damaged uniform will be mine to keep.

I realize should my employment end the very last check will be held until all uniforms are accounted for.

I understand and accept NTA Graphics conditions for the use of uniforms.

X _____
Signature

TOOL AGREEMENT

EMPLOYEE NAME: _____ DATE: _____

TIME CARD NUMBER: _____

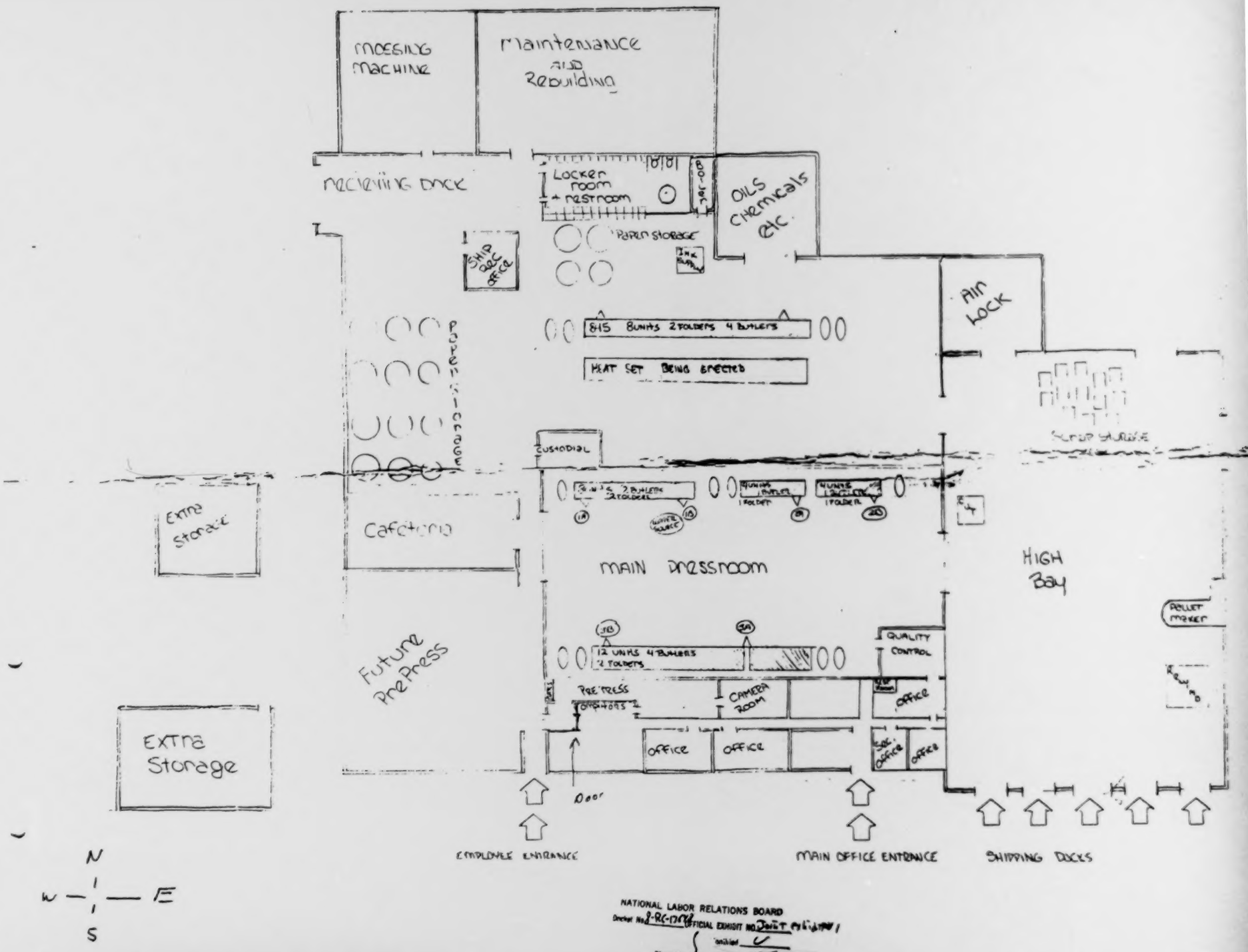
Tools will be supplied to me at no cost for use while an employee of NTA Graphics.

I agree to use and will be responsible for the replacement at cost for loss or abuse. This will be taken at the time of loss or abuse from my paycheck and the damaged tool will become mine to keep.

I realize should my employment end the very last check will be held until all tools are accounted for.

I understand and accept NTA Graphics conditions for the use of the tools.

X _____
Signature



NATIONAL LABOR RELATIONS BOARD
Docket No. 9-RC-17088 OFFICIAL EXHIBIT NO. Joint Exhibit 1
Identified
Disposition: Received
Rejected
In the matter of NLRB Conference
Date 2-8-80 Witness Reporter
No. Pages

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